



# North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

Meeting of the Council

Wednesday 15 May 2019

Responses to Questions



## Question

- (1) a question by Councillor Marshall to the Cabinet Member for Health and Social Care in the following terms:-

“How many over 65 year olds are on a pending list to receive funding, formal assessment or a place in a North Ayrshire Care Home.”

## Response

“As at 9 May 2019 there are currently 62 individuals over 65 who are on the pending list for care home funding. 39 of those individuals (63%) are currently within a care home setting and have been placed there on an Emergency Respite basis; 12 of those individuals (19%) self-admitted to a care home; 11 of those individuals (18%) remain within their communities.

Partnership staff assess needs and, as such, there is no list of individuals awaiting an assessment for a Care Home. There are currently, however, six individuals awaiting assessment of their capacity who are likely to require a care home place upon conclusion of that assessment.”

## Question

- (2) a question by Councillor Dickson to the Leader of the Council in the following terms:-

“At the recent SNP conference a resolution was passed that asked that “the Scottish Government work closely with stakeholders to develop a set of best-practice, guiding principles for employers which take account of menopausal-related health issues. This will enable employers to ensure that necessary adjustments are in place to support those experiencing menopause”. What guidance do our managers follow to help support menopausal women?”

## Response

“We welcome the increased awareness of menopause issues in the workplace.

The Council’s Workwell programme held a ‘Working with Menopause’ event last year that was attended by 56 employees and the next menopause event is currently being planned to take place after the summer. Menopause will continue to be a regular feature in the programme of events. I also congratulate the NHS Ayrshire and Arran Unite branch for their ‘Menopause Matters Too’ campaign which they have taken into Crosshouse and Ayr hospitals.

Our current HR policies and guides do not specifically mention menopause however HR and our Occupational Health Service provide support to managers on a wide range of workplace issues. Occupational Health have advised that a number of employees have been referred for support in relation to menopause.

Contd/

We are a progressive Council and as such we do wish to lead from the front on issues of equality. Just under 75% of the Council's staff are women of which 42.5% are age 50 or over. It is therefore our intention to work with the local trade union branches to engage with our female workforce on menopause specific guidance to ensure we offer the best possible support to female staff with menopause related health issues. As Chair of the 1st Tier JCC, which has cross party and trade union representation, I will request that this be included on the agenda of a future meeting."

## **Question**

- (3) a question by Councillor Marshall to the Cabinet Member for Education in the following terms:-

"Noting that the SNP Government has over the last 12 years presided over declining Educational Attainment as witnessed by their decision to to abandon the empirically based Programme for International Student Assessment ( PISA) and the Scottish Survey of Numeracy and Literacy( SSL), does he not agree that the recently published league tables of Schools where pupils achieve 5+ Highers are now the only empirical standard for measuring school achievement?"

## **Response**

"We do not agree with this position. We are not aware of a final decision from Scottish Government regarding the future participation of Scotland in the PISA study.

The Scottish Survey of Literacy and Numeracy (SSLN) was discontinued in 2016 following the introduction of the collection of teacher judgement data on achievement levels. The SSLN gave a snapshot of a small sample of learners across the country, whereas the new data collection gives a fuller picture of achievement levels for every learner at key stages of their education. Furthermore, this achievement data is informed by a range of benchmarking information, including standardised assessment information.

We strongly disagree that the unofficial Herald league table is now the only empirical standard for measuring school achievement. This league table is not part of the range of official statistics available for education and it focuses on a narrow interpretation of successful attainment, measuring only on the percentage of pupils who achieve more than 5 Highers.

School education is about a wide range of qualifications and experiences and success should not be measured solely on one benchmark. Our leavers are now more likely to leave school with a broad range of qualifications. This is likely to include some Highers in many cases, but also a blend of new alternative qualifications at SCQF levels 4-7 which are equally valid indicators of educational success. We must ensure that the way we measure achievement reflects the full range of achievements secured by the young people of North Ayrshire.

Contd/

Therefore, the national Insight benchmarking tool is considered to be a more comprehensive and effective system-wide way of measuring attainment. This was designed specifically for the purpose of benchmarking a school's achievement across the full range of qualifications against the national picture, as well as against a virtual comparator (which is made up of similar pupils across Scotland.) Insight, along with the LGBF, are the nationally accepted tools for measuring educational attainment in our schools.

Finally, we do not recognise the point made in the question about declining educational attainment. In North Ayrshire, over time we have seen consistent improvements in educational attainment across the board, and these are reflected in the annual reports to Cabinet, of which the Member will be fully aware.

Reference: Equivalents

SCQF Level 4 = National 4

SCQF Level 5 = National 5

SCQF Level 6 = Higher

SCQF Level 7 = Advanced Higher"

## **Question**

- (4) a question by Councillor Marshall to the Chair of Audit and Scrutiny Committee in the following terms:-

"The Minute of the Audit Committee of 26 March 2019 records that the Health and Social Care Partnership Operational Budget is experiencing "a backlog in assessments in Free Personal Care". Can the Chair explain the failure to timeously award support to these vulnerable elderly residents."

## **Response**

"Having clarified with the Director of Health and Social Care, I can confirm that there is no backlog of assessments for care. At the Audit and Scrutiny Committee of 26<sup>th</sup> March, there was discussion about the backlog relating to the release of funding for some care costs, including personal care. This relates to the Partnership having finite resources and having to ensure that it operates within those resources. Indeed, Councillor Marshall will recall that the Committee praised the ongoing efforts of the Partnership in improving its financial position.

In addition, there was discussion at the Committee about a backlog in 'Assistance for Funding' requests. This relates to individuals in Care Homes whose finances have fallen below the threshold where they are expected to self-fund their care. The Partnership has now assumed operational management for the Finance team responsible for processing these requests and is working to develop and improve processes to address this backlog."

## Question

- (5) a question by Councillor McNicol to the Leader of the Council in the following terms:-

“Will the Leader of the Council explain the process followed by the Administration in allocating funding awarded to the Council from the Scottish Government’s Town Centre Fund?”

## Response

“The process, as set out in the report to Cabinet of 14 May 2019, was as follows: -

- The Scottish Government set out a range of options for projects that will align with the grant conditions, including projects that support town centre living, digital solutions for communities, land and asset acquisition, transport, greening, environmental improvements and community support. It recommended a balance of larger scale interventions, together with support for some smaller projects, recognising that splitting funds equally amongst all centres will dilute potential impact.
- Recognising the overall intent of the fund, a qualitative scoping exercise was undertaken by officers, based on town centre audits, conservation area management plans, charrettes, SIMD data, locality priorities and assets review. Consideration was also given to prioritising those towns that have not benefitted from recent investment or have other planned investments being prioritised.
- On this basis, it was recommended that the fund is dispersed through 2 larger projects for around £1m combined value, with the remaining £0.418m being allocated to a series of smaller projects and community-led initiatives. This seeks to maximise the impact of the fund, while supporting a range of smaller initiatives around North Ayrshire. It has been identified that Stevenston and Dalry would potentially benefit most from larger portions of the fund. An overview of the strategic case for strategic town centre regeneration projects was presented in the report to Cabinet.
- Officers have developed a provisional project list. Scoping of provisional projects was been informed by compliance with grant conditions, deliverability of projects and known strategic and community-based projects and priorities.
- Given that the grant requires to be committed (meaning it is spent or contracts are entered into) before 31 March 2020, timescales are tight if we are to claim North Ayrshire’s full allocation of grant. In these circumstances’ Cabinet agreed to delegate authority to the Head of Economic Growth to agree and progress projects. Following feedback from Members, Cabinet agreed that local ward members will be consulted along with the Portfolio Holder on any proposals.
- On 14 May 2019 Cabinet agreed to these recommendations.”

## Question

- (6) a question by Councillor McNicol to the Cabinet Member for Place in the following terms:-

“Will the portfolio holder for Place inform Members of the number of reports received by North Ayrshire Council of road defects/potholes on all adopted roads/footpaths in the year 2018/19? Will he also inform Members of the cost to repair said defects/potholes?”

## Response

“The Council’s Roads Service has a proactive road asset management system in place which involves regular inspections by our Inspectors to identify defects and potholes requiring repair. In addition, we receive requests from members of the public for repairs to be carried out. Works instructions are issued to repair confirmed defects. It should be noted that a works instruction may contain multiple potholes and that works instructions are not necessarily issued for a single pothole. In addition the cost of repairing defects on main roads is significantly higher than repairing a defect on a quiet residential street due to the complexity of traffic management that may be required. By way of setting some context to the figures I will provide shortly for year 2018/19 as requested, I can confirm the impact of the significant winter events we experienced at the end of 2017 and beginning of 2018 had an unprecedented effect on the condition of our roads. This was mirrored in a number of areas across Scotland and the wider UK.

The statistics for the year 2018/19 as requested are:

- There were 3413 works instructions created to repair road carriageway defects/potholes on the Mainland at a cost of £665,826. I can confirm 1518 of these were received from members of the public
- There were 501 works instructions created to repair footway defects/potholes on the Mainland at a cost of £35,912. I can confirm 161 of these were received from members of the public
- There were 385 works instructions created to repair carriageway defects/potholes on the Island of Arran at a cost of £230,777 (35 of which were received from members of the public)
- And there were 7 works instructions created for footway repairs on the Island of Arran at a cost of £305 (3 of which were received from members of the public).”

## Question

(7) a question by Councillor Billings to the Leader of the Council in the following terms:-

“The question is directed to the Leader of the Council because he is a member of the Ardrossan Harbour Task Force Committee and is closely involved in the Arran to Ardrossan ferry service upgrade project.

The Leader will be very aware that this project is not going as well as intended, and at the moment one could describe it as a total shambles. Recent announcements indicate that the two new ferries, already over a year late, are nowhere near completion and there is significant doubt about when, if ever, these ferries will be finished. The Leader will also know that Scottish Government has approved the Task Force’s plans for the harbour and has just agreed to spend additional money on Ardrossan harbour. He will also be aware that the reason for this additional money is to ensure that Glen Sannox ferry can dock reliably at Ardrossan.

Whilst welcoming the continued commitment of the Scottish Government to keep Ardrossan as the mainland port for the Arran ferry service, my question to the Leader is given that the future of the part built Glen Sannox is still to be decided and that the additional agreed finance is for major harbour work to enable this specific boat to dock at Ardrossan, would it not be better to wait until there is a confirmed decision about what ferry will actually be using Ardrossan?”

## Response

“The delays with the construction of the MV Glen Sannox route is a matter between the Ferguson Marine Yard, and Caledonian Maritime Assets Ltd as the procuring body. Recent public statements by CMAL have referred to requests they have made to Ferguson Marine to provide an updated timeline for delivery.

The Task Force agreement on a design solution for Ardrossan Harbour is a positive milestone and follows around two years of complex analysis in terms of modelling or simulations of vessel movements, consultation with vessel captains, and engineering design works. The proposals will increase the area available for the manoeuvring of vessels by 2,400 sq m. This will avoid the need for vessels to make a sharp turn on their entrance and exit to the Arran berth, increasing reliability given the difficulty making this manoeuvre in certain weather conditions. It will provide a better port configuration and an improved service with fewer cancellations due to bad weather.

This will be the case for any vessel on the Caledonian MacBrayne fleet, as the option is able to accommodate a range of vessels, whether the MV Glen Sannox, the existing MV Isle of Arran or Caledonian Isles, or another vessel.

The sooner the proposals are implemented, then the sooner the ferry routes can benefit from that increased resilience.”



## Question

(8) a question by Councillor Billings to the Leader of the Council in the following terms:-

“The Leader is aware that North Ayrshire Council will be investing a lot of money in Ardrossan harbour's terminal buildings and other passenger infrastructure.

The Leader may not be so aware that the new terminal building at Brodick, whilst it may have won industry awards, has come in for considerable criticism regarding passenger usability and infrastructure robustness.

There is a growing body of opinion on Arran that in spite of the work of the Arran Ferry Committee and Arran Community Council, the decision makers involved in the ferry development project are not really listening and don't take in to account the views and concerns of the residents of Arran. This ground-swell of opinion has led to the formation of the Arran Ferry Action Group, which intends to be a fully representative group to represent Arran's interested in ferry service improvements and future investment decisions.

My question to the Leader is that as this Council has a policy to be as inclusive as possible, will the Leader commit to including the Arran Ferry Action Group as a recognised consultation group, and take regard of the views of this group when making representations to the Scottish Government, CMAL and CalMac about the development of the Arran ferry service?”

## Response

“There is significant interest from both the Arran and Ardrossan communities in seeing the successful delivery of the major investment in facilities at Ardrossan, in addition to those recently completed at Brodick. Regular and open engagement and consultation for residents and users will be a key feature of this complex construction project.

Most recently consultation events were held in Brodick and Ardrossan in late October 2018 to present indicative layout options and to seek feedback.

As was the case with the delivery of the Brodick Harbour investment, engagement with the wider community will be maintained both in advance of and during the construction contract. This will include meetings and events on both Arran and at Ardrossan.

The main point of contact for representatives from Arran to discuss ferry matters with the national agencies and Scottish Government is the Arran Ferry Committee, with North Ayrshire Council represented on the Committee by an Elected Ward Member (Councillor McMaster). This was agreed by Council at 17<sup>th</sup> May 2017 meeting. It is understood that the Arran Ferry Committee and the Arran Ferry Action Group are in discussion as to how they will work together going forward. An avenue for residents of the Island to express their views therefore already exists, with the minutes of meetings published to allow transparency.

The recent appointment of a dedicated officer resource within the Council to oversee the wider regeneration programme at Ardrossan will support and facilitate more and regular consultation and engagement.”

## **Question**

- (9) a question by Councillor Murdoch to the Cabinet Member for the Economy in the following terms:-

Councillor Gallagher thanked the Member for his question and responded in the following terms:-

“At the Council meeting held on 7th December 2018 I asked the following question: NAC collected the BID levy on behalf of Largs Matters Ltd from local businesses in Largs under Rates Legislation.

Now that the five year BID has come to an end, will NAC be involved in returning the balance of funds to the businesses or as the statute states, given to an organisation with a similar aim?

What has been done to return the remaining BID funds to the businesses in Largs since the meeting on 7th November 2018, where are the assets of Largs Matters Ltd and what are the assets?”

## **Response**

“The BID company Largs Matters is in the final stages of winding up and will be preparing a final set of audited accounts. Once accounts are approved and subject to a surplus of funds remaining, arrangements will be made by the Council to issue a refund of due amounts to levy payers.”

## Question

- (10) a question by Councillor Murdoch to the Chair of the Planning Committee in the following terms:-

"In the letter from the Enviro Centre to North Ayrshire Council Planning dated 10th January 2018 the first paragraph states "As you are aware we submitted an Environmental Review with our screening request of 20 February 2017. This Environmental Review discussed the potential environmental effects of the development as a whole as agreed in our site meeting of January 2017. Subsequently, as fully discussed with North Ayrshire Council (McInally Associates/NAC) it was considered that the most appropriate approach to making the necessary changes to the Hunterston Marine Construction Yard was through three separate planning applications (and a Marine Licence from Marine Scotland)."

Who attended that site meeting, was it minuted and who proposed lodging the application in three parts?"

## Response

"The meeting of the 23rd January 2017 was a meeting between Planning Officers and SNH prior to the submission of an Environmental Impact Assessment (EIA) Screening Request by Peel Ports, in respect of the proposal to allow decommissioning of large marine structures at the Hunterston Construction Yard. Meetings with agencies such as SNH to discuss anticipated significant developments as part of early stage preparations are not unusual and they are not required to be minuted.

The applicant chose to submit three separate applications and the Council is required to consider these as valid applications. All three were subject to the EIA and considered by the Planning Committee at the same meeting."

## Question

- (11) a question by Councillor Murdoch to the Chair of the Planning Committee in the following terms:-

"During the Full Council Meeting held on Wednesday 27th March while answering one of my questions, the Chair of Planning referred to a letter dated 19th February 2019 from the Scottish Government. This letter was also referred to during a Public Meeting held in Largs Campus on 21st February 2019. Is the Chair of Planning and NAC still "quite happy with the written comment from the Scottish Government"?"

## Response

"Yes. I endorsed the statement in the letter dated 19 February 2019 that "Ministers are content that the process undertaken by the Council and Marine Scotland has been sufficiently robust to allow them to reach their opinions and that due process has been followed with regards to the seeking and obtaining of a Screening Option for the project. The Scottish Government therefore declines to issue a screening direction on this case."

Contd/

I do appreciate that in a subsequent Parliamentary Question by the Greens to a Government Minister it was indicated that this decision may be reviewed. Who knows?

Given the SNP's penchant for u-turns (e.g. the Air Departure Tax which was a manifesto commitment), I would not be surprised if the decision of 19 February got a similar treatment and suggest that Cllr Murdoch writes and asks Nicola."