

Cabinet
16 July 2014

Irvine, 16 July 2014 - At a Meeting of Cabinet of North Ayrshire Council at 2.00 p.m.

Present

Willie Gibson, Marie Burns, Anthea Dickson, Tony Gurney, Alan Hill and Ruth Maguire, Very Reverend M. Canon McManus, Elizabeth H. Highton and Mark Fraser (Church Representatives), Nairn McDonald, Joshua McCormick and S. Hughes (Youth Representatives).

Also Present

Tom Marshall and Donald Reid.

In Attendance

E. Murray, Chief Executive; L. Friel, Corporate Director, T. Reaney, Procurement Manager A. Ross, Asset Manager, A. Blakely, IT Manager, A. Munn, Community Benefits Officer and A. Young, HR Operations Manager (Finance and Corporate Support); A. Sutton, Head of Community and Culture and S. Quinn, Head of Service (Development) (Education and Skills); C. Hatton, Corporate Director, R. McCutcheon, Head of Service (Environment and Related Services), K. Yeomans, Head of Service (Development Planning), A. Laurenson, Team Manager Regeneration, D. Hammond, Senior Manager (Strategic Planning and Infrastructure) and A. Adrain, Interim Head of Housing (Development and Environment); I. Colvin, Director (North Ayrshire Health and Social Care Partnership), S. Gault, Head of Service (Children, Families and Criminal Justice); A. Fraser, Head of Service (Democratic and Administration), B. Tudhope, Corporate Business Manager, A. Woodison, Communications Officer and A. Little, Committee Services Officer (Chief Executive's).

Also In Attendance

Mr Milligan.

Chair

Councillor Gibson in the Chair.

Apologies for Absence

John Bruce.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the meeting held on 1 July 2014 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Chair's Remarks

The Chair, in terms of Standing Order 9.1, agreed to vary the order of business to allow earlier consideration of Agenda Item 20 (Town Centre Parking Strategy) and Agenda Item 17 (A Vision for Irvine).

4. Proposed Development of Education and Sports Provision in Largs

Submitted report by the Head of Service (Development) (Education and Skills) which outlined (a) proposals to replace the existing Largs Academy with a joint education and sport campus on the site of sportscotland's National Centre Inverclyde, which would include a modern, fit for purpose secondary school with access to world class sporting facilities and the redevelopment of sportscotland's National Centre Inverclyde; (b) early engagement with a range of stakeholders to inform the consultation process; and (c) an application to the Scottish Futures Trust in relation to accessing funding.

Members asked questions and were provided with information in relation to:-

- discussions that will take place regarding the inclusion of St. Mary's Primary School in the options for the future delivery of early years and primary school provision in Largs;
- the use of the land on the site of the sportscotland National Centre Inverclyde that will enable the project to be completed within the required timescale;
- the involvement of young people in the consultation process to ensure their views are captured; and
- the opportunity to access world class sporting facilities but not to the exclusion of other activities for young people.

The Cabinet agreed to (a) authorise officers to develop proposals to replace the existing Largs Academy with a modern, fit-for-purpose secondary school co-located on the site of the sportscotland National Centre Inverclyde, in partnership with sportscotland subject to confirmation by sportscotland of external funding; (b) authorise officers to explore and bring forward proposals on the future provision of early years and primary education in Largs, informed by an early engagement process with a range of stakeholders and appropriate partners, including sportscotland and South West HubCo; (c) instruct officers to submit proposals, informed by the early engagement process, outlining the preferred options for education provision and related funding in Largs, to Cabinet on 23rd September 2014; (d) note proposals to develop a robust consultation process to commence in October 2014, which meets statutory requirements; (e) submit a proposal to Scottish Futures Trust (SFT) in relation to accessing funding for arrangements for the future delivery of education and sports provision in Largs, subject to an acceptable rationale being developed; and (f) note that the outcome of the strategic review of education and the future of educational provision throughout North Ayrshire's neighbourhoods, including that of the Three Towns, will be presented to Cabinet for its consideration in early 2015. Further consultation with stakeholders will inform this process.

5. Strategic Review of Educational Services

Submitted report by the Head of Service (Development) (Education and Skills) that provided information on (a) the work of the Robert Owen Centre in supporting Government, local authorities and schools on collaborative enquiry, systems change and improvement; (b) the identification of three key areas of challenge to be tackled in North Ayrshire's schools to raise attainment; (c) funding previously agreed by Cabinet for the Strategic Review of Educational Service; and (d) the use of the negotiated procedures to procure the services of the Robert Owen Centre.

Members asked questions and were provided with information in relation to:-

- the use of data to analyse previous performance, identify where improvements have been achieved and positively impact learning outcomes;
- a Members' briefing that will be provided to examine the financial aspects of the strategic review of educational services; and
- critical analysis of data that will be undertaken by the Robert Owen Centre.

The Cabinet agreed to (a) note the continued work with the Robert Owen Centre for Educational Change to carry out context specific research within, between and beyond our schools to support the improvement programme that will raise attainment and promote more equitable outcomes for our young people; (b) procure in principle the services of the Robert Owen Centre using the negotiated tendering procedure; and (c) approve expenditure of up to £150,000: £90,000 in year one; £40,000 in year two; and £20,000 in year three, to procure the services of the Robert Owen Centre.

6. Service Plan 2013/14 Year - end Performance Reports

Submitted report by the Chief Executive which provided an update on the performance of all Council Services as at 31 March 2014, with Appendices 1-6 of the report setting out six Service Plans, based on the Council's organisational structures for 2013/14.

Members asked questions and were provided with information in relation to the quality descriptors and capacity for improvement in relation to all services and in particular Finance and Corporate Support and Housing.

The Cabinet agreed to (a) note the performance of all Services as at 31 March 2014 against the objectives, key performance indicators and actions in the 2013/14 Service Plans; (b) to amend (i) the overall performance of Finance and Corporate Support to 'good'; and (ii) the capacity for improvement of Housing to 'very good'; and (b) refer the amended Service Plan 2013/14 Progress Reports to the Scrutiny and Petitions Committee for its consideration.

7. Council Plan, Performance Management Strategy and Single Outcome Agreement (SOA): 13/14 Q4 Progress Report

Submitted report by the Chief Executive on progress in terms of the three Action Plans, namely (1) the Council Plan; (2) the Performance Management Strategy; and (3) the Single Outcome Agreement (SOA).

The Cabinet agreed to (a) note the progress made in implementing the three Action Plans for the Council Plan, Performance Management Strategy and SOA; (b) note that detailed progress on the Council Plan indicators will be incorporated into the Public Performance Reporting report to Cabinet on 7 October 2014 and (c) refer the report to the Scrutiny and Petitions Committee for its consideration.

8. Provost's Civic Events Budget and Fundraising Activity

Submitted report by the Chief Executive which (a) provided information on the Provost's committed hospitality expenditure and forecasted expenditure for period 2014/15; and (b) gave details of the Provost's fundraising activity from December 2013.

The Cabinet agreed to (a) approve the requests for funding to date; (b) receive an update in six months; and (c) to otherwise note the report.

9. Scotland's Digital Participation Charter

Submitted report by the Chief Executive which outlined (a) the four inter-related strands of the Scottish Government's digital strategy "Scotland's Digital Future: A Strategy for Scotland"; (b) the launch of the second strategy document "Digital Participation: A National Framework for Local Action"; (c) the Digital Participation Charter which sets out how organisations can contribute to increase digital participation (Appendix 1); and (d) a dedicated team within the Scottish Council for Voluntary Organisations that will support Charter signatories deliver their commitments.

Members asked questions and were provided with information in relation to:-

- information that will be prepared to direct the public to the location of IT equipment and digital support services available in North Ayrshire.

The Cabinet agreed to remit to the Chief Executive to sign Scotland's Digital Participation Charter on behalf of the Council.

10. Community Benefits from Wind Turbines and other Renewable Developments

Submitted report by the Chief Executive which highlighted (a) the present position regarding Community Benefits from Wind Turbines and other Renewable Developments in North Ayrshire and the disadvantages of the current arrangements; (b) the position of other local authorities and examples of their Community Benefit Schemes; (c) the principles outlined in the Scottish Government's 'Practice Principles for Community Benefits from Onshore Renewable Development'; (d) the proposal to develop a policy on Community Benefits setting out the level of community benefits expected from wind turbine and other developments; and (e) a review of Policy P19 of the Local Development Plan in respect of the criteria for wind turbines.

Members asked questions and were provided with information in relation to:-

- the preparation of a policy on Community Benefits by the end of 2014;
- the provision of information to Members on the whether the community benefit rate paid by the wind turbine development at Busbie Muir, Ardrossan is index linked

That Cabinet agreed (a) that the Directorate of Economy and Communities should prepare a policy on Community Benefits from Wind Turbines and other renewable developments which would seek a level of Community Benefit commensurate with the Practice Principles; and (b) to note that a review of the criteria for wind turbines in terms of Policy P19 of the Local Development Plan is currently being progressed.

11. Consultation on Regulations Relating to the Public Bodies (Joint Working) (Scotland) Act 2014

Submitted report by the Chief Executive which (a) outlined the Scottish Government's consultation on draft regulations relating to the Public Bodies (Joint Working) (Scotland) Act 2014 (Appendix 3), accompanied by a summary statement (Appendix 2); and (b) set out the Council proposed response to the consultation (Appendix 1).

The Cabinet was advised of two further areas for inclusion in the response to the consultation, namely:-

- that where a Councillor ceases to hold office, they are required to resign, before the expiry of the term of office; and
- the term of office should be same as the local authority term of 5 years.

The Cabinet agreed to approve the response to the consultation as set out in Appendix 1, with the inclusion of the additional areas detailed above.

12. Implementation of a Community Benefits in Procurement Policy

Submitted report by the Corporate Director (Finance and Corporate Support) on (a) the development of a Community Benefits in Procurement Policy (Appendix 1) to ensure that community benefits are considered for all types of contract and will introduce a formal consistent process which will maximise the delivery of community benefits across Council contracts; (b) the contract value threshold for the categories of 'supplies and services' and 'works'; and (c) information on where community benefits are directly linked to the core purposes of the contract, where benefits do not directly link to the contract and where it is appropriate to give suppliers the opportunity to offer relevant community benefits on a voluntary basis.

The Cabinet agreed to (a) support the introduction of Community Benefit clauses in contracts across all supplies, services and works; and (b) the Community Benefits in Procurement Policy as attached at Appendix 1.

13. ICT Strategy Review 2014

Submitted report by the Corporate Director (Finance and Corporate Support) on (a) progress to date in relation to the ICT Strategy (Appendix 1); and (b) details of the strategic priorities for the next 2 years.

The Cabinet agreed (a) to note progress in implementation of the Council's ICT Strategy; (b) the priorities for the next 2 years, as detailed in the report; and (c) to receive reports on progress every 6 months.

14. Former Library Headquarters, Ardrossan

Submitted report by the Corporate Director (Finance and Corporate Support) which outlined (a) the proposed disposal of the former library headquarters (north wing and outbuilding), Princes Street, Ardrossan; and (b) the acquisition by Sense Scotland of the surplus accommodation to develop a facility to deliver services to children, young people and adults who have communication support needs.

Members asked questions and were provided with information in relation to:-

- work that will be done to highlight that the library is open and will remain open during the works and to keep the public advised of the works that will be undertaken by Sense Scotland; and
- a number of areas that will be included in the lease, including access issues and disruption to the library and its users.

Having considered the disposal of land by Local Authorities (Scotland) Regulations 2010, the Cabinet agreed to approve the disposal of the north wing and outbuildings of the property at Nil consideration to Sense Scotland.

15. Chief Social Work Officer Annual Report

Submitted report by the Director (North Ayrshire Health and Social Care Partnership) on the annual report of the Chief Social Work Officer to the local authority on the statutory, governance and leadership functions of the role. The annual report covering the period April 2013 to March 2014 was attached as Appendix 1 to the report.

Members asked questions and were provided with information in relation to a review of the future involvement of Members in the Corporate Parenting Sub Group.

The Cabinet agreed to endorse the Chief Social Work Officer's Annual Report.

16. Arran Outdoor Education Centre

Submitted report by the Head of Service (Community and Culture) (Education and Skills) which (a) provided background information on Arran Outdoor Education Centre; (b) outlined the findings of the review of the Centre's business plan and future opportunities for growth that included proposals to (i) revise the staffing structure; (ii) cease operation of the mainland outreach service; (iii) reshape staff working patterns, including the use of seasons posts; (iv) develop additional, new and accessible opportunities; (v) increase booking charges by a modest amount; (vi) continue to work with partners to share staffing and resources; and (vii) offset the current shortfall in income with the financial efficiencies realised.

Members asked questions and were provided with information in relation to work that will be done to promote the Centre and a budget allocation for this work.

The Cabinet agreed to approve the proposals for the future sustainability of Arran Outdoor Education Centre, while maintaining a high quality service for young people in North Ayrshire.

17. Town Centre Parking Strategy

Submitted report by the Corporate Director (Development and Environment) which outlined (a) the public consultation process undertaken; (b) the comments and suggestions received from the consultation and considered by the Physical Environment Advisory Panel; and (b) proposed amendments to the strategy as a result of the consultation exercise.

The Cabinet heard the views of a local Irvine resident, Mr Milligan, on the car parking strategy for Irvine Town Centre, which included:-

- the consultation process undertaken had been poor and the feedback form had contained statements rather than questions;
- the strategy includes private car parks that have waiting restrictions in place, such as Asda and Aldi car parks;

- only 4 available parking spaces could be identified during a site visit with a local Member;
- insufficient parking spaces will be available for those workers moving to Cunninghame House from Perceton;
- and that there was no further public consultation undertaken following the survey.

The Cabinet agreed to (a) note (i) the consultation responses to the draft Town Centre Parking Strategy; and (ii) the views expressed by Mr Milligan; and (b) approve the strategy with the addition of (i) that a study be undertaken, in respect of potential on-street controls (including residents parking) at Kirkgate, Seagate, Parterre and West Road, Irvine; and (ii) that 12 months after the implementation of the strategy capacity studies be undertaken within Largs and Irvine to assess the impact of the actions to alleviate pressures on town centre parking spaces.

18. A Vision for Irvine

Submitted report by the Corporate Director (Development and Environment) on (a) progress in the development of a long term vision for the regeneration of Irvine (Appendix 1); (b) consultation undertaken and further planned consultation (Appendix 2); (c) the identification of seven key challenges across five geographic areas; (d) engagement and implementation to enable a closer working relationship between the Council and partners, including the formation of an Irvine Partnership to oversee the vision.

The Cabinet agreed to (a) approve the Vision for consultation; (b) the progression of actions identified within the Vision including the formation of (i) an Irvine Partnership to oversee the delivery of the Vision; and (ii) internal sub groups to advance the development of projects within key geographies.

19. Millport Field Centre - Land Transfer and Lease Agreement

Submitted report by the Corporate Director (Development and Environment) which provided information on (a) the procurement of facilities to support the operation of the Millport Field Centre (MFC); (b) Phase 1 of the operation that will include the construction of new accommodation, teaching facilities, parking, services and sewerage; (c) the capital contributions from the Council (up to £1.5m), Highlands and Islands Enterprise (£1m) and the Scottish Government (£500,000); and (d) the land to be transferred from the Field Studies Council (FSC) to the Council to enable the commencement of Phase 1 (Appendix 1); and (e) the proposed terms for the lease to FSC of the teaching and accommodation facilities.

The Cabinet agreed to (a) the transfer of land at the Millport Field Centre to the Council; and (b) the subsequent lease of newly developed teaching and accommodation facilities to the Field Studies Council.

Councillor Hill left the meeting.

20. International Strategy

Submitted report by the Corporate Director (Development and Environment) which provided (a) an update of the work done to identify an International Strategy for North Ayrshire (Appendix 1); and (b) details of the recommendations to develop high quality real estate and develop both an Inward Investment Service and an Export Support Service.

The Cabinet agreed to the development of the recommendations made by Ernst & Young to (a) develop a high quality real estate capable of attracting new business with particular focus on i3; and (b) develop an inward investment export support service.

21. Empty Homes Strategy

Submitted report by the Corporate Director (Development and Environment) on (a) the definition of an empty home; (b) the various reasons for homes becoming empty and information from a survey of all empty home owners indicating the main reasons why properties are empty; (c) a number of key interventions to encourage and support owners bring empty properties back into use; (d) legislative powers which the Council can invoke to address problems associated with empty homes; and (e) the proposed Empty Homes Strategy (Appendix 1).

Members asked questions and were provided with information on a variety of methods used and partnership working to identify empty homes.

The Cabinet agreed (a) to approve the Empty Homes Strategy; (b) that the Corporate Director (Development and Environment) provide information on the breakdown of 1 and 2 bedrooms homes within the 64% of all empty stock; and (c) receive a report back on implementation of the Empty Homes Strategy in June 2015.

22. Review of Street Lighting

Submitted report by the Corporate Director (Development and Environment) on (a) the proposal to install low energy units within the Council's Street Lighting infrastructure; (b) the findings of the detailed review undertaken to identify energy saving opportunities; (c) the development of an 'invest to save' programme; and (d) capital financing that will be required in order to replace 13,500 units and purchase replacement infrastructure.

Members asked questions and were provided with information on the development of a programme that will identify the location and timescale for the replacement of 13,500 lamp units with LED over a two year period.

The Cabinet agreed to approve (i) a programme to retro-fit 13,500 lamp units with LED, including the provision of a Central Monitoring System, over a 2 year period; (ii) that the material costs of £3.8 million for the programme be added to the Councils Capital Plan on an 'invest to save' basis; (iii) that the Councils' change fund be utilised for the design and installation of LED units; (iv) that the current infrastructure renewal programme funded through the Capital Plan be amended to incorporate LED and a Central Monitoring System; and, (v) that the retro-fit programme be undertaken by Building Services.

23. Grants Under the Community Outdoor Access Grant Scheme 2014/15

Submitted report by the Corporate Director (Development and Environment) that provided details of (a) five applications to the Community Outdoor Access Grant Scheme; and (b) the assessment of the applications, in partnership with the North Ayrshire Outdoor Access Forum, and the recommendations for funding (Appendix 1).

The Cabinet agreed to approve the awards as detailed in Appendix 1 to the report.

24. Award of Contract - Replacement Sheltered Housing Unit, Kiln Court, East Road, Irvine

Submitted report by the Corporate Director (Finance and Corporate Support) on the result of the tender exercise for the works to provide a replacement Sheltered Housing Unit, Kiln Court, East Road, Irvine.

The Cabinet agreed to approve the award of the contract to Ashleigh (Scotland) Ltd., at a contract value of £2,623,018.

25. Award of Contract for Shewalton No. 2 Landfill Site, Capping of Cell 4 and Construction of Cell 5

Submitted report by the Corporate Director (Finance and Corporate Support) on the results of the tender exercise for the Capping of Cell 4 and the Construction of Cell 5 at the Shewalton Landfill site.

Members asked questions and were provided with information in relation to the pricing variations between the 8 contractors that reflected the experience and knowledge of the contractors in this specialised area of work.

The Cabinet agreed to approve the award of the contract to Priority Construction Limited, at a contract value of £1,346,000.

26. Award of Contract - General Building Framework

Submitted report by the Corporate Director (Finance and Corporate Support) on the results of the tender exercise for the Framework Agreement for the provision of General Building works.

The Cabinet agreed to approve the award of the framework agreement to the contractors detailed in the Tender Outcome Report (Appendix 1).

27. Change Programme: Progress as at 30 June 2014

Submitted report by the Chief Executive which highlighted (a) the transformational change activity within each Council service; and (b) efficiencies generated from the various activities within the Change Programme

The Cabinet agreed to (a) note (i) the progress of the Council-wide Change Programme as at June 2014; and (ii) that the projects being delivered by the Change Team are currently being reviewed in terms of their alignment to the Council's strategic objectives; and (b) receive a further update in six months' time.

28. School Meals

Submitted report by the Corporate Director (Development and Environment) which provided information on (a) arrangements being made to provide free school meals to Primary 1 - 3 pupils from January 2015; (b) the action plan detailing progress made to (i) increase the uptake of school meals; (ii) increase the number of Hub kitchens from 25 to 30; and (iii) works required to upgrade a number of school kitchens.

The Cabinet agreed to note (a) that an officer working group has continued to meet to identify and develop proposals to increase the uptake of school meals; (b) that the working group has further developed its action plan which outlines a number of measures being implemented; and (c) the arrangements being made to provide free school meals to Primary 1 - Primary 3 pupils from January 2015.

29. Scotland's Future: Empowering Scotland's Island Communities

Submitted report by the Corporate Director (Development and Environment) which outlined (a) North Ayrshire's inclusion within the recent prospectus issued by the Scottish Government entitled "Empowering Scotland's Island Communities"; (b) the three underpinning objectives of the prospectus; and (c) the proposed package of measures based on the transfer of all powers to the Scottish Parliament associated with independence.

The Cabinet agreed to note (i) the inclusion of North Ayrshire within the Scottish Government prospectus "Empowering Scotland's Island Communities"; and (ii) the series of measures that the Scottish Government proposes to transfer to all island authorities subject to the outcome of the independence referendum.

30. Housing Revenue Account Business Plan Implementation Group: 12 May 2014

Submitted report by the Corporate Director (Development and Environment) on the minutes of the meeting of the Housing Revenue Account Business Plan Implementation Group held on 12 May 2014.

Noted.

31. Brodick Harbour Redevelopment Group :4 June 2014

Submitted report by the Corporate Director (Development and Environment) on the minutes of the meeting of the Brodick Harbour Redevelopment Group held on 4 June 2014.

Noted.

32. Physical Environment Advisory Panel held on 09 June 2014

Submitted report by the Corporate Director (Development and Environment) on the minutes of the meeting of the Physical Environment Panel held on 09 June 2014.

Noted.

33. Exclusion of the Public

The Cabinet resolved in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following items of business on the grounds indicated in terms of Paragraphs 6 & 9 (item 32.1) and Paragraph 11 (item 32.2) of Part 1 of Schedule 7A of the Act.

33.1 Irvine Bay Regeneration Company - Future Developments

Submitted report by the Chief Executive on future developments in terms of the Irvine Bay Regeneration Company.

The Cabinet agreed to (a) note the content of the report; and (b) to receive further updates in due course.

33.2 Holiday Pay Entitlement

Submitted report by the Chief Executive on holiday pay entitlement.

The Cabinet agreed to (a) note (i) the employment law issues as outlined within the report; and (ii) the financial implications of this decision; and (b) to homologate the decision of the Chief Executive to apply a revised calculation for holiday pay in order to potentially reduce further significant legal and financial risks to the Council.

The meeting ended at 5.55 p.m.