



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Cunninghame House,
Irvine.

13 August 2015

Cabinet

You are requested to attend a Meeting of the Cabinet of North Ayrshire Council to be held in the Council Chambers, Ground Floor, Cunninghame House, Irvine on **TUESDAY 18 AUGUST 2015** at **2.30 p.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

PLEASE NOTE - As this is the first formal meeting of the Cabinet following recess, Elected Members are invited to join the Provost to observe the raising of the first flag on the new flag poles at Cunninghame House.

1. Declarations of Interest

Members are requested to give notice of any declaration of interest in respect of items of business on the agenda.

2. Minutes (Page 7)

The accuracy of the Minutes of the meeting held on 23 June 2015 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

GENERAL BUSINESS FOR DECISION

Reports by the Chief Executive

3. Data Protection Policy Version 2 (Page 17)

Submit report by Chief Executive on the revised policy which has been updated to reflect current best practices relating to information sharing and privacy by design (copy enclosed).

Reports by the Executive Director (Economy and Communities)

4. The High Hedges (Scotland) Act 2013 - Application Fees (Page 35)

Submit report by Executive Director (Economy and Communities) on fee levels for applications made to North Ayrshire Council under the High Hedges (Scotland) Act 2013 (copy enclosed).

Reports by the Executive Director (Place)

5. Upper Garnock Valley Flood Protection Scheme Progress Report (Page 39)

Submit report by Executive Director (Place) to (i) confirm the preferred flood protection scheme for the upper Garnock Valley and (ii) commence the formal notification process (copy enclosed).

GENERAL BUSINESS FOR INFORMATION

Reports by the Executive Director (Finance and Corporate Support)

6. Welfare Reform activity 2015/16 (Page 63)

Submit report by Executive Director (Finance and Corporate Support) on progress on the welfare reform action plan and to advise of further welfare reforms to be implemented from April 2016 onwards (copy enclosed).

CONTRACTS

7. Award of Contract – Measured Term Contract (MTC) for Access Control Systems - Automatic Doors Servicing & Repairs (Page 89)

Submit report by Executive Director (Finance and Corporate Support) on the result of the tender exercise for the MTC for Access Control Systems - Automatic Doors Servicing & Repairs and present a recommendation for the award of the contract (copy enclosed).

8. Award of Contract - Measured Term Contract (MTC) for Floor Finishes (Page 93)

Submit report by Executive Director (Finance and Corporate Support) on the result of the tender exercise for the renewal of the MTC for Floor Finishes and present a recommendation for the award of the contract (copy enclosed).

MINUTES

- 9. Community and Lifelong Learning Advisory Panel: 21 May 2015 (Page 97)**
Submit report by the Executive Director (Economy and Communities) on the minutes of the meeting of the Community and Lifelong Learning Advisory Panel held on 21 May 2015 (copy enclosed).
- 10. South West Hub Territory Partnering Board held on 28 May 2015 (Page 101)**
Submit report by the Executive Director (Place) on the minutes of the South West Hub Territory Partnering Board held on 28 May 2015 (copy enclosed).
- 11. Physical Environment Advisory Panel held on 1 June 2015 (Page 107)**
Submit report by the Executive Director (Place) minute of the Physical Environment Advisory Panel held on 1 June 2015 (copy enclosed).
- 12. Housing Revenue Account Business Plan Implementation Group: 11 June 2015 (Page 115)**
Submit report by the Executive Director (Place) on the minutes of the Housing Revenue Account Business Plan Implementation Group held on 11 June 2015 (copy enclosed).
- 13. Economic Development & Regeneration Board : 15 June 2015 (Page 123)**
Submit report by the Executive Director (Economy and Communities) on the minutes of the Meeting of the Economic Development and Regeneration Board held on 15 June 2015 (copy enclosed).
- 14. Ayrshire Economic Partnership : 24 June 2015 (Page 129)**
Submit report by the Executive Director (Economy and Communities) on the draft minutes of the meeting of the Ayrshire Economic Partnership held on 24 June 2015 (copy enclosed).
- 15. Urgent Items**
Any other item which the Chair considers to be urgent.

Cabinet

Sederunt: **Elected Members**

Willie Gibson (Chair)
Alan Hill (Vice-Chair)
Marie Burns
John Bruce
Anthea Dickson
Tony Gurney
Ruth Maguire

Chair:

Attending:

Apologies:

Meeting Ended:

Cabinet
23 June 2015

Irvine, 23 June 2015 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, Alan Hill, Marie Burns, John Bruce and Tony Gurney.

In Attendance

E. Murray, Chief Executive; L. Friel, Executive Director, G. Macgregor, Head of Customer, People and Corporate Support and T. Reaney, Procurement Manager (Finance and Corporate Support); K. Yeomans, Executive Director, A. Sutton, Head of Service (Connected Communities), C. McAuley, Head of Service (Economic Growth) and A. Hume, Senior Development Management Officer (Economy and Communities); D. Rowland, Head of Services (Health and Community Care and J. McCaig, Senior Manager (Learning Disability) (North Ayrshire Health and Social Care Partnership); J. Butcher, Executive Director (Education and Youth Employment); C. Hatton, Executive Director, R. McCutcheon, Head of Service (Commercial Services), J. Smith, Senior Manager (Roads and Transportation) and C. Nelson, Divisional Manager (Place); M. Davison, Senior Manager (Democratic Services); A. Todd, Senior Policy and Performance Officer, R. Moore, Communications Officer (Media and Internal Communications) and A. Little, Committee Services Officer (Chief Executive's).

Also In Attendance

H. McPhee, Assessor and Electoral Registration Officer.

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Anthea Dickson and Ruth Maguire.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the meeting held on 9 June 2015 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Individual Electoral Registration

Submitted report by the Executive Director (Finance and Corporate Support) on progress on Individual Electoral Registration (IER) since implementation on the 19 September 2014. A presentation was provided by the Assessor and Electoral Registration Officer and provided information on:-

- the individual electoral registration timeline;
- initial processes;
- matching processes;
- the process for unmatched electors;
- complexities of the canvass and the processes;
- postal voting;
- legislation developments; and
- additional costs for individual electoral registration.

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

- the data matching process for unmatched electors that will be undertaken if the secondary legislation in respect of the removal of all non-IER registered electors is implemented in December 2015; and
- checks that are made with other authorities when electors move between local authority areas.

Noted.

4. Council Plan and Single Outcome Agreement (SOA): 14/15 Q4 Progress Report

Submitted report by the Chief Executive on progress in terms of the two Action Plans, namely (a) the Council Plan; and (b) the Single Outcome Agreement (SOA).

The Cabinet agreed to (a) note (i) the progress made in implementing the two Action Plans for the Council Plan and SOA; and (ii) that detailed progress on the Council Plan indicators will be incorporated into the Public Performance Reporting report to Cabinet on 29 September 2015; and (b) refer the report to the Scrutiny and Petitions Committee for its consideration.

5. Service Plan 2014/15 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 2015, with Appendices 1-6 of the report setting out the six Service Plans.

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

Education and Youth Employment

- work that is being done at St. Matthew's Academy in respect of the Skills for Learning, Skills for Life and Skills for Work Programme.

Place

- a future report to Cabinet on the Renewable Energy Strategy.

The Cabinet agreed to (a) note the performance of all Services as at 31 March 2015 against the objectives, key performance indicators and actions in the 2014/15 Service Plans; and (b) refer the Service Plan 2014/15 Progress Reports to the Scrutiny and Petitions Committee for its consideration.

6. Performance Management Update

Submitted report by the Chief Executive on Performance Management arrangements that included (a) detailed progress on the Performance Management Forum Workplan (Appendix 1); (b) the Workplan for 2015/16 (Appendix 2); and (c) an update on progress of the Corporate PSIF Improvement Plan (Appendix 3).

The Cabinet agreed (a) to note (i) the progress with the Performance Management Forum Work Plan; and (ii) the PMF work plan for 15/16; and (iii) the progress with the Corporate PSIF Improvement Plan and Recognised for Excellence; and (b) to refer the report to the Scrutiny and Petitions Committee for its consideration.

7. Response to the Commission on Local Tax Reform

Submitted report by the Chief Executive on (a) the call for evidence from the Commission on Local Tax Reform set up to identify and examine alternatives for a fairer system of local taxation to support the funding of services delivered by local government; and (b) the proposed North Ayrshire Council response, as outlined in the Appendix 1 to the report.

The Cabinet agreed to submit the response to the Commission on Local Tax Reform as detailed in Appendix 1 to the report.

8. Approval of an application to the Scottish Government Regeneration Capital Grant Fund for the development of land at Quarry Road in Irvine

Submitted report by the Executive Director (Economy and Communities) on (a) the proposals for the development of land at Quarry Road in support of the Irvine Vision; (b) the outline masterplan for the development, as illustrated in Appendix 1 to the report; and (c) details of North Ayrshire applications for Scottish Government Regeneration Capital Grant Fund.

The Cabinet agreed to approve the principle of the development of land at Quarry Road, Irvine for an employment, sports and leisure development, subject to a successful funding application to the Scottish Government Regeneration Capital Grant Fund.

9. Participatory Budgeting in North Ayrshire

Submitted report by the Executive Director (Economy and Communities) on the proposed introduction of participatory budgeting in North Ayrshire.

The Cabinet agreed to (a) approve the recommendation to hold six participatory budgeting events in late 2015/early 2016 (one per neighbourhood); and (b) receive a further report to evaluate progress and to agree future approaches.

10. North Ayrshire Community Learning and Development Plan 2015-18

Submitted report by the Executive Director (Economy and Communities) on the Community Learning and Development (Scotland) Regulations 2013 that require the publication of a three year North Ayrshire Community Learning and Development (CLD) Plan.

The Cabinet agreed to (a) to establish a Strategic North Ayrshire CLD Planning Group to prepare and publish a Strategic North Ayrshire Community Learning and Development Plan 2015–18; (b) remit to officers to continue to work with the six Neighbourhood CLD Planning groups in the formulation and production of six operational local Community Learning and Development Plans, specific to the needs and requirements of the residents within each geographic location; and (c) remit to officers to consult with key stakeholders in the development and review of the operational CLD plan over the period 2015-18

11. Employability and Skills

Submitted report by the Executive Director (Economy and Communities) on (a) the current position with employability and skills related services; and (b) key actions to inform the future development of services within the Council and across the Community Planning Partnership.

The Cabinet agreed to (a) note the update provided on current Council employability and skills service provision; and (b) approve the key principles that will guide the roll out of new delivery.

12. Community Benefit from Windfarms

Submitted report by the Executive Director (Economy and Communities) on (a) the draft policy on community benefit from wind turbines, as outlined in Appendix 1 to the report; and (b) proposals to consult with local stakeholders and communities on the draft policy. Further information was provided in relation to the Renewables Obligation that will close for onshore wind in 2016.

The Cabinet agreed to (a) approve the draft policy on community benefit from windfarms; (b) remit to officers to proceed to consultation on the policy; (c) receive a further report on community benefit from windfarms subsequent to the consultation; and (d) the appointment of a Windfarm Community Benefits Officer, funded by community benefits from wind turbines, when the policy is agreed and when sufficient funding is available.

13. Planning Performance Framework

Submitted report by the Executive Director (Economy and Communities) on the proposed Planning Performance Framework 4 (Appendix 1) that outlines a range of achievements and identifies specific areas for improvements.

The Committee agreed (a) to note the content of the Planning Performance Framework, as outlined at Appendix 1 to the report; and (b) approve the document's publication and submission to Scottish Government.

14. 2 Wilson Street and 4/6/8 Wilson Street, Beith

Submitted report by the Executive Director (Economy and Communities) on (a) actions to remedy a number of amenity matters relating to the properties at 2 Wilson Street and 4/6/8 Wilson Street, Beith; and (b) proposals to acquire the properties.

The Cabinet agreed (a) to negotiations with the owners of the properties at both 2 Wilson Street and 4/6/8 Wilson Street, Beith to acquire the properties by agreement; and (b) in principle, the initiation of proceedings for Compulsory Purchase Orders in the event that agreement cannot be reached and subject to future approval of a Compulsory Purchase Order resolution by Council.

15. Building Services Phase 2 Improvements

Submitted report by the Executive Director (Place) on (a) the progress with ongoing transformational change in Building Services; (b) the development of a phase 2 improvement programme and 5 Year Business Plan for Building Services; and (c) proposals to develop a partnership with a third party supplier for a materials supply and stores management service.

The Cabinet agreed to (a) note the progress being made with the ongoing transformational change programme; (b) the development of phase 2 improvements and 5 year Business Plan within Building Services as set out within the report; and (c) a procurement exercise to provide a materials supply and stores management service across the Place Directorate.

16. Lamlash Bay Coastal Erosion

Submitted report by the Executive Director (Place) on (a) a study to evaluate the condition of the coastal defences at Lamlash Bay; and (b) an assessment of a range of remedial options available, as outlined in Appendix 1 to the report.

The Cabinet agreed (a) to note the findings of the study; and (b) that Option 1 is the most appropriate intervention at this time supported by annual monitoring of the rate of erosion in this area.

17. Gypsy/Traveller - Unauthorised Encampments

Submitted report by the Executive Director (Place) on (a) unauthorised Gypsy/Traveller encampments across North Ayrshire in 2014; (b) actions by other agencies and authorities to prevent unauthorised encampments; (c) a review that is underway by the Scottish Government Guidance in respect of gypsy travellers; and (d) the proposal to identify a location for a short stay gypsy/traveller site.

The Cabinet agreed to (a) note (i) the action taken by the Council on managing unauthorised encampments; and (ii) the complexities involved in promoting a byelaw in relation to prohibiting unauthorised encampments; and (b) undertake an exercise to identify a potential transitory site.

18. Council Tax and Non-Domestic Rates Write off 2014-15

Submitted report by the Executive Director (Finance & Corporate) on the write-off of Council Tax and Non-Domestic Rates debts during 2014-15, as set out in Appendices 1 and 2 of the report, respectively.

The Cabinet agreed to homologate the write-off of Council Tax and Non-Domestic Rates for 2013-14, as set out in Appendices 1 and 2 of the report.

19. Revision to the Domestic Abuse Policy - Support for Employees

Submitted report by the Executive Director (Finance & Corporate) on revisions to the Council's existing Domestic Abuse Policy to incorporate recent guidance from COSLA.

The Cabinet agreed to approve the revised Domestic Abuse Policy.

20. New Learning Disability Day Centre

Submitted report by the Director (Health & Social Care Partnership) on progress in relation to the proposed new Learning Disability Day Centre in North Ayrshire, including early stakeholder engagement and site selection.

The Cabinet agreed that the preferred location for the new Learning Disability Day Centre is the site adjacent to Auchenhavie Academy

21. Roll-out of Superfast fibre Optic Broadband in North Ayrshire

Submitted report by the Executive Director (Economy and Communities) on (a) the progress with the roll-out of the Scottish Government's Superfast Broadband Programme across North Ayrshire; and (b) planned phasing of the roll-out programme to increase broadband coverage.

Noted.

22. Procurement Overview

Submitted report by the Executive Director (Finance and Corporate Support) which (a) provided an update on national and local procurement issues; and (b) reported on the Council's procurement performance.

The Cabinet commended the work that had been done by the Procurement Team.

Noted.

23. Maximising Attendance Performance – 2014/15 year end summary

Submitted report by the Executive Director (Finance and Corporate Support) on (a) the year end summary of sickness absence for 2014/15; and (b) a breakdown by service of sickness absence, as detailed in Appendix 1 to the report.

Noted.

24. Tender for Business Support Services Consultancy Framework

Submitted report by the Executive Director (Finance and Corporate Support) on the proposal to tender for a framework for provision of various consultancy services to North Ayrshire Council businesses supported by Business and Business Growth Teams within the Economic Development Service.

The Cabinet agreed to (a) note (i) the requirement for the tender for provision of various Council funded or part-funded consultancy services to businesses within North Ayrshire; and (ii) that the anticipated contract value is above EU Public Procurement Threshold for Services; and (b) approve North Ayrshire Corporate Procurement to tender this requirement.

25. Award of Contract - Pan-Ayrshire Contract for Provision of Staff Occupational Health and Welfare Services

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for a Pan-Ayrshire Contract for Provision of Staff Occupational Health and Welfare Services.

The Cabinet agreed to approve the award of the contract to Optima Health at a total fixed cost of £2,047,633.

26. Award of Framework – Employability and Skills Pipeline (Multi-Lot)

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Employability and Skills Pipeline Framework.

The Cabinet agreed that the following companies be appointed to the Framework:-

- Lot 1: Engagement and barrier removal – Ceisayrshire, The Wise Group, The Lennox Partnership and The Ayrshire Community Trust (TACT);
- Lot 2: Vocational Training/transitional employment opportunities – Ceisayrshire, The Wise Group, Employment Enterprise, Essentials Plus and Workers Educational Association (WEA);
- Lot 3: Employer engagement/job brokerage/ aftercare – Ceisayrshire, The Wise Group and Employment Enterprise; and
- Lot 4: Modern apprenticeship programme – West College Scotland.

27. Award of Contract - Pan-Ayrshire Contract for Provision of Self Directed Support, Information and Advice

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for a Pan-Ayrshire Contract for Provision of Self Directed Support, Information and Advice.

The Cabinet agreed to approve the award of the contract to Ayrshire Independent Living Network at a cost of £488,670.

28. Physical Environment Advisory Panel held on 21 April 2015

Submitted report by the Executive Director (Place) on the minutes of the Physical Environment Advisory Panel held on 21 April 2015.

Noted.

29. 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 Paragraph 9 of Part 1 of Schedule 7A of the Act.

29.1 Social Work Complaints Review Committee: Complaint by Mr and Mrs G

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting held on 22 May 2015.

The Cabinet agreed to accept the Committee's recommendation not to uphold any part of the complaint.

The meeting ended at 4.45 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

18 August 2015

Cabinet

Subject: **Data Protection Policy Version 2**

Purpose: To seek Cabinet approval for revised policy which has been updated to reflect current best practices relating to information sharing and privacy by design. It introduces a privacy framework for assessing information risk and takes cognisance of the expected EU reforms.

Recommendation: That Cabinet approves the revised Data Protection Policy attached at Appendix 1.

1. Introduction

- 1.1 The Council published its first Data Protection Policy in 2012. Prior to 2012 data protection was handled within a guidance framework. The Public Records Scotland Act (2011) created an obligation on public authorities to formally evidence their data protection arrangements and this created the catalyst for the initial policy.
- 1.2 Since 2012, there have been significant changes in terms of attitudes toward information risk and the public are much more aware of their information rights. It is important that the Council recognises and takes the steps to ensure that the Data Protection Policy is supportive.
- 1.3 With enhanced powers being granted to the Information Commissioner it is vital that the Council operates within a framework that:
 - recognises the lawful and correct treatment of personal information;
 - understands the importance of data protection to our successful operations; and
 - maintains confidence with members of the public; current, past and prospective employees, clients and customers; and business partners.
- 1.4 The revised policy will ensure that the Council manages data of a personal and sensitive personal nature in an appropriate manner.

2. Current Position

- 2.1 In summer of 2014 the Council created an Information Governance Team. There is now a much stronger emphasis on information management including information risk within the Council.
- 2.2 However, with a higher profile of information management within the Council there is more demand for training. Furthermore, as awareness increases it is anticipated that the number of notified incidents will increase. The table below provides details of the number of recorded incidents.

DP Incident/Breaches - 1st July 2014 - 31st March 2015			
Service	Reported	Formally Investigated	ICO Involvement
Chief Executives	1	1	0
Education & Youth Employment	1	1	0
Economy & Communities	1	1	0
Place	0	0	0
Finance & Corporate Support	6	5	0
Health & Social Care Partnership	7	2	2
Total	16	10	2

- 2.3 Additionally, if the European Directive 95/46/EC reforms are implemented it is expected that there will be more focus on individuals to exercise their data privacy rights. Organisations will be obliged to enforce privacy within organisational systems and ensure that they have in place the governance to support the amendments.
- 2.4 Consultation was undertaken during the development of the revised policy with the Data Protection Advisory Group, Information Governance Manager, Legal Services and Senior Manager for Democratic Services.

3. Proposals

- 3.1 The revised policy is reflective of current best practices relating to information sharing and privacy by design. It also introduces a privacy framework for assessing information risk. The revised policy takes cognisance of the expected EU reforms and will ensure that the Council is in a ready state to incorporate any change in legislation.

- 3.2 It is intended that the new policy will be communicated to staff via Connects, the Data Protection Advisory Group and the Information Management Governance Group. The Council has in place other policies and procedures which provide a framework to support compliance with data protection legislation and these are documented in Section 4 Roles & Responsibilities of the revised policy.

4. Implications

Financial Implications

- 4.1 None

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 Failure to comply with the Data Protection Act (1998) could result in regulatory action being taken against Council by the Information Commissioner.

Equality Implications

- 4.4 None

Environmental and Sustainability Implications

- 4.5 None

Implications for Key Priorities

- 4.6 None

5. Consultations

- 5.1 Consultation was undertaken during the development of the revised policy with the Data Protection Advisory Group, Information Governance Manager, Legal Services and Senior Manager for Democratic Services.

6. Conclusion

6.1 The Cabinet is invited to approve the revised Data Protection Policy.

A handwritten signature in black ink, reading "Elma Murray". The signature is written in a cursive style with a large, stylized 'E' and 'M'.

ELMA MURRAY
Chief Executive

Reference :

For further information please contact Rose Johnston on 01294324174

Background Papers

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North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

DRAFT

Data Protection Policy (DRAFT)

Version: 2.0
Date: XX XXX 2015

Document Control Guidelines

Document Control	
Originally Prepared By	Information and Records Manager
Original Authorisation By	Corporate Management Team
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Reviewed By	Richard Sharp - Information Governance Manager Cathie Fraser - ICT Security Officer Margaret Davison - Senior Manager Democratic Services Linda Taylor – Solicitor, Legal Services Data Protection Advisory Group
Published Location	http://navigate.north-ayrshire.gov.uk/ ,
Other documents referenced	ICT Security Policies ICT Security Guidelines Data Protection Advisory Group Terms of Reference Privacy Impact Assessment Guidance Corporate Records Retention Schedule
Acknowledgements	
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Version Control			
Version	Date Issued	Author	Update Information
V1.0	15.11.12	Hazel Lauder	Approved by Cabinet 23 October 2012
V2.0Draft		Rose Johnston	Major review to reflect new guidance & procedures introduced following creation of Information Governance Team

Version Awareness

The audience of this document should be aware that a physical copy may not be the latest available version. The latest version, which supersedes all previous versions, is available only at the Published Location stated above. Those to whom this policy applies are responsible for familiarising themselves periodically with the latest version and for complying with policy requirements at all times.

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1. Introduction

North Ayrshire Council is required by law to comply with the Data Protection Act 1998 (DPA), which was enacted to ensure the fair and lawful processing of personal data. To comply with the law, information about individuals must be collected and used fairly, stored safely and securely and not unlawfully disclosed to any third party.

North Ayrshire Council regards the lawful and correct treatment of personal information as important to its successful operations, and to maintaining confidence between the Council and those with whom it carries out business.

The Council is committed to a policy of protecting the rights and privacy of individuals (this includes customers, staff and others) and fully endorses and adheres to the Data Protection Act 1998.

[Appendix 1](#) of this document contains technical terms used in this document.

The DPA regulates the processing of information relating to **living** persons in the UK. It requires that data controllers be registered with the UK Information Commissioner and comply with eight legally enforceable principles.

In order to operate the Council needs to process certain information about members of the public; current, past and prospective employees, clients and customers; and business partners.

It may be required by law to collect and use information in order to comply with the legislative requirements. The safeguards within the DPA are to ensure that personal information is handled and dealt with properly.

If you require any further information or are unsure about any aspect of data protection you should contact the Council's [Data Protection Officer](#) for further guidance.

2. Policy Statement

This policy will be published on the Council's Intranet (Navigate) and external facing website. Amendments or revisions will be noted within the document control section. A review will be undertaken every two years. However, policies and guidelines may be altered at any time if amendments are necessary.

This policy applies to all staff and Elected Members of the Council. Any breach of the Data Protection Act 1998 or the Council's Data Protection Policy is a serious matter and could lead to disciplinary action or criminal proceedings in extreme cases.

Other agencies and individuals working with the Council, and who have access to personal information held by the Council are required to comply with this policy.

Services who deal with external agencies processing Council information are responsible for ensuring those agencies sign a contract agreeing to abide by this policy.

This policy applies to all situations where the Council processes (collect, store, use, share) personal data about living individuals. It includes information stored in any format including but not limited to: electronically, on paper, on CCTV, in photographs and on audio equipment.

North Ayrshire Council processes data in relation to its employees, clients and customers and business partners. The Council is registered as a **Data Controller** with the **Information Commissioner's Office (ICO)**. The Council is committed to complying with the eight data protection principles, which are at the core of the DPA.

All sharing of personal data with other organisations must be appropriately documented. Where sharing is voluntary (rather than statutory) a written agreement called an **Information Sharing Protocol (ISP)** must be in place and signed by all relevant parties. When allowing others to access our data or share data a **Data Processing & Sharing Agreement** must be in place.

The Council in recognising the importance of its data protection obligations approved its first Data Protection Policy in 2012. In addition to the Data Protection Policy there are other key Council policies, supporting information groups, codes and guidance which are in place to support good information handling and further details are documented in [Section 4 Roles and Responsibilities](#)

3. Data Protection Act (1998)

The purpose of the DPA is to protect the rights and privacy of living individuals. This ensures that personal data is not processed without their knowledge, and, wherever possible, is processed with their consent. The legislation itself is complex; however it is underpinned by a set of principles. Following these principles will ensure compliance with the DPA. The eight principles are:-

Principle 1	Personal data shall be processed fairly and lawfully and, in particular, shall not be processed unless certain conditions detailed within the DPA are met.
Principle 2	Personal data shall be obtained only for one or more specified and lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
Principle 3	Personal data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
Principle 4	Personal data shall be accurate and, where necessary, kept up to date.
Principle 5	Personal data processed for any purpose or purposes shall not be kept for longer than is necessary for that purpose or those purposes.
Principle 6	Personal data shall be processed in accordance with the rights of data subjects under the DPA.
Principle 7	Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
Principle 8	Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights and freedom of data subjects in relation to the processing of personal data.

3.1 Personal & Sensitive Personal Data

3.1.1 Personal Data

Personal Data is information relating to a living individual who can be identified from that data alone, or from that data and other information which is in the possession of, or is likely to come into the possession of the data controller. For example an address can be personal data if used with other information held to identify someone. The definition of personal data explicitly includes any expression of intention or opinion about the individuals, who is known as the **data subject**.

3.1.2 Sensitive Personal Data

Sensitive Personal Data is an additional category of personal data and stricter conditions apply to the processing of this type of data. The DPA defines sensitive personal data as:-

- The racial or ethnic origin of the data subject
- his political opinions
- his religious beliefs or other beliefs of a similar nature
- whether he is a member of a trade union
- his physical or mental condition
- his sexual life
- the commission or alleged commission by him of any offence
- any proceedings for any offence committed or alleged to have been committed by him, the disposal of such proceedings or the sentence of any court in such proceedings.

3.2 Data Protection Principles

North Ayrshire Council processes data in relation to its employees, clients, customers and business partners. The Council undertakes to comply with the eight data protection principles, which are at the core of the DPA and regulate when and how personal data should be processed.

3.2.1 Principle 1 – Processed Fairly & Lawfully

North Ayrshire Council will ensure that it has legitimate grounds for processing personal data and ensure it is not used in ways that have unjustified adverse effects on the individuals concerned. All sharing of personal data with other organisations will be appropriately documented. Where sharing is voluntary (rather than statutory) a written agreement will be in place.

3.2.2 Principle 2 – Obtained for Specific & Lawful Purposes

North Ayrshire Council must ensure that data is processed for limited purposes. Where personal data is collected the Data Subject will normally be provided with a **Privacy Notice**, providing information about what we collect, why this information is needed and how it will be processed.

3.2.3 Principle 3 – Adequate, Relevant & not Excessive

North Ayrshire Council will identify and collect the minimum amount of information required for the purpose. If it becomes necessary to hold or obtain additional information about certain individuals, that information will only be collected and recorded in relation to those individuals.

3.2.4 Principle 4 – Accurate

North Ayrshire Council will have processes in place to ensure that all relevant information is kept accurate and up to date. Where the Council identifies an inaccuracy or a data subject indicates that the

information held by the Council or a business partner is inaccurate, the error will be rectified by the **Information Asset Owner**.

3.2.5 Principle 5 – Kept only for as long as necessary

North Ayrshire Council will implement procedures in relation to the retention of personal data in accordance with the [Corporate Records Retention Schedule](#) and ensure that we comply with the provisions of the Public Records (Scotland) Act 2011.

3.2.6 Principle 6 – Data Subject Rights

Personal Data shall be processed in accordance with the rights of data subjects under the DPA. Requests for Subject Access must be completed within 40 days, subject to receipt of all necessary information and the appropriate fee. Further Information is documented in [Section 3.6](#) of this policy.

3.2.7 Principle 7 – Technical & Organisational Measures in Place

All personal data must be appropriately safeguarded against accidental destruction, theft or any other loss. Where personal data has to be taken off-site this will be restricted to only that necessary to undertake the required task. Documented procedures will be in place to mitigate against any loss. North Ayrshire Council has further guidance and policies available in terms of [ICT Security](#) which further addresses the requirements of this principle.

3.2.8 Principle 8 – Not Transferred out with the EEC

In the event that there is a business need to transfer data out with the European Economic Area Guidance must be sought in the first instance from the Information Governance Manager.

3.3 Notification

The DPA requires all data controllers who process personal data notify the ICO. The ICO maintains a public register of notified data controllers. Each register entry includes the name and address of the data controller and a general description of how they process personal information and for what purposes. Individuals can consult the register to find out what personal information a particular data controller processes. Failure to notify is a criminal offence.

Notification is the responsibility of the Data Protection Officer. Executive Directors are responsible for notifying and updating the Data Protection Officer of the processing of personal data within their service. The [Council's Notification to the ICO](#) outlines the processing of personal data for specific purposes. Our registration number is Z4840237.

Elected members require individual notifications because they process personal data in the following capacities:-

- As a member of the Council, e.g. as a member of a Board
- As a representative of constituents, e.g. dealing with complaints
- Representatives of a political party, e.g. campaigning

When processing personal information as a member of the council, Elected Members are covered by the Council's notification and when acting on behalf of their political party they are entitled to rely on the party's notification. However when processing personal information on behalf of constituents, Elected Members are data controllers in their own right and require to be registered.

3.4 Disclosure of Data

The Council must ensure that personal data is not disclosed to unauthorised third parties which includes, family members, friend, Government bodies, and in certain circumstances, the police. All employees and Elected Members should exercise caution when asked to disclose personal data held on another individual to a third party. Personal data can be legitimately disclosed where one of the following conditions applies:

- The individual has given their consent
- Where the disclosure is in the legitimate interests of the Council and the DPA permits such disclosure without consent in relation to specific purposes.
- Where the Council is legally obliged to disclose data
- Where disclosure of data is required in relation to a contract which the individual has entered into.

Unless consent has been obtained from the data subject, information should not be disclosed over the telephone. The enquirer should be asked to provide documentary evidence to support their request. This should be a mandate from the data subject authorising the disclosure to the third party.

There are situations where information can, and indeed, must be shared, for example, to protect individuals. Consent can be set aside only if any delay will endanger the health and welfare of the data subject, their dependants or that of another person where this is dependent on the disclosure. A judgement should be formed as to the reasonableness of disclosing the data according to the circumstances.

You must keep a record of third party requests for personal data and of any disclosures made without consent and inform the data subjects of these.

3.5 Information Asset Register

All proposed systems or systems under development which process personal data must be checked prior to final approval to ensure that the data processing will be covered by our DPA Registration.

All systems (paper & electronic) which process personal data will be recorded on a central log, the **Information Asset Register**.

3.6 Data Subject Rights

Data Subjects have significant rights under the DPA regarding data processing, and the data that is recorded about them. The most significant right is the right of subject access.

3.6.1 Subject Access Requests (SAR)

An individual has the right to access his/her own personal data. The Council has **40** Calendar days to comply with SAR. Further information on compliance with all data subject rights, particularly subject access rights, can be obtained for the Council's SAR guidelines, available on Navigate or from the Information Governance Team.

3.5.1 Other Data Subject Rights

- The right to prevent processing that is likely to cause or is causing damage or distress
- The right to prevent processing for direct marketing
- The right to object to automated decision-taking
- The right to have inaccurate data rectified, destroyed, blocked or erased
- The right to claim compensation for damages caused by a breach of the DPA

4. Roles & Responsibilities

The Council as a corporate body has the responsibility for data protection and is the data controller under the DPA.

In recognition of our obligation and in addition to the Data Protection Policy a range of policies, procedures and guidelines promoting compliance and best practice have been developed in support of data protection and the wider information management strategy:-

- [Information Management Strategy](#)
- [Acceptable Computer Use Policy](#)
- [Records Management](#)
- [Privacy Impact Assessment](#)
- [Freedom of Information](#)
- [Information Security](#)
- [Information Asset Register](#)
- [Risk Management Strategy](#)
- [Subject Access Requests](#)
- [Privacy Notice](#)

The list is not exhaustive and all relevant data protection and wider information management guidance can be located under the Information Management section on Navigate.

4.1 Employees

All employees and Elected Members are individually responsible for ensuring that processing of personal data is in accordance with the DPA. It is the responsibility of the individual to familiarise themselves and comply with Council guidance.

Advice can be sought from the Data Protection Officer or the Information Governance Manager who have responsibility for driving the Council's information governance strategy.

4.2 Data Protection Governance Arrangements

The [Information Governance Manager](#) will ensure that the Council manages information compliance to minimise the risks of regulatory or legal exposure. The Information Governance Manager will promote good information management through the provision of advice and guidance to services and has responsibility for information management.

The [Data Protection Officer](#) has the operational responsibility to develop, implement and communicate the Council's Data Protection Policy and procedures.

The Council's [ICT Security Officer](#) ensures compliance with principles seven and eight of the DPA relating to data security by providing advice and guidance on information security.

4.3 Information Governance Groups

4.3.1 *The Information Management Governance Group (IMGG)*

The IMGG chaired by the Information Governance Manager is a strategic group with responsibility for all information governance and management of information, throughout the Council

4.3.2 *The Data Protection Advisory Group (DPAG)*

The DPAG provides support to ensure effective corporate compliance in relation to data protection and best practice is achieved across the Council. This will ensure that the risk of regulatory or legal exposure is minimised.

Further details on the purpose and scope of the group and service representatives can be found in the [Group Terms of Reference](#) located on navigate.

4.4 Information Sharing

Processing of personal and sensitive personal data must always be fair and lawful. However the DPA should not be seen as a barrier to effective information sharing with partner organisations and other service areas. There are many situations where information can, and legally, must be shared. In these circumstances of information sharing the following must be considered.

- What information needs to be shared?
- With Whom?
- Why?
- How?
- What are the risks of not sharing the information?
- Could the same aim be achieved without sharing the data or by anonymising it?

4.5 Privacy Impact Assessment

A Privacy Impact Assessment (PIA) is a process which enables the council to address the potential privacy risk and impact from collecting, using and disclosing of personal information as part of proposed new initiatives. The PIA will ensure data protection compliance and privacy concerns are appropriately addressed.

Services must undertake a PIA before making major changes to an existing way of handling information. The PIA must be an integral part of any project planning process rather than an add-on.

Its purpose is to:

- identify any potential and likely impact on privacy; and
- minimise and manage any identified impact and privacy risk.

Guidance and details on how to conduct a [Privacy Impact Assessment](#) can be found on Navigate. Advice on and assistance with carrying out a PIA can be obtained from the [Data Protection Officer](#)

4.6 Breach

Breach of this policy may be regarded as a serious act of misconduct and may lead to disciplinary action. Employees must therefore make every effort to ensure that they understand their responsibilities under this policy.

It is a criminal offence under the DPA to knowingly or recklessly obtain, disclose or procure personal data without the consent of the Data Controller and North Ayrshire Council reserves the right to report any such incidences to the Police.

Data protection procedures are subject to routine audit and in the event of a data breach the Data Protection Officer will investigate. The Head of Democratic Services will determine if these breaches are to be reported to the [Information Commissioner's Office](#). The ICO is the UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.

Appendix 1

DEFINITIONS	
Data Controller	Any person (or an organisation) who makes decisions with regard to particular personal data, including decisions regarding the purposes for which personal data are processed and the way in which the personal data are processed.
Data Processor	Any person (or organisation) contracted by a data controller to process information on their behalf. The data controller retains legal liability for the processing and protection of the information.
Data Processing and Sharing Agreement	Ensures the "rules" of sharing have been clearly communicated and understood by all parties. Aims to ensure that methods of sharing, storing, use, in transit, backups, destruction, etc. are agreed before sharing is undertaken.
Data Subject	Any living individual who is the subject of personal or sensitive data.
Information Asset Owner	The business manager who operationally runs and is responsible for the information asset; their role is to understand what information is held and how it is processed
Information Asset Register	Central log located on Navigate which records all systems (paper & electronic).
Information Commissioner Office (ICO)	The UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals.
Information Sharing Protocol	Is a commitment and agreement to put in place the arrangements required to ensure secure and appropriate sharing of information and data between organisation, whilst maintaining the controls that give assurances and accountability and respects the right to privacy.
Personal Data	Data relating to a living individual who can be identified from that information or from that data and other information in possession of the data controller. Includes name, address, telephone number, national insurance number. Also includes expression of opinion about the individual, and of the intentions of the data controller in respect of that individual.
Processing	Any operation related to the holding, organisation, retrieval, disclosure and deletion of data and includes: obtaining and recording data; accessing, altering, adding to, merging, deleting data; retrieval, consultation or use of data; disclosure or otherwise making available of data.
Sensitive Personal Data	Different from personal data, relates to racial or ethnic origin, political opinions, religious beliefs, trade union membership, health, sexual life or criminal convictions. Sensitive data is subject to much stricter conditions of processing.
Third Party	Any individual/organisation other than the data subject, the data controller or its agents.

NORTH AYRSHIRE COUNCIL

Agenda Item 4

18 August 2015

Cabinet

Subject: **The High Hedges (Scotland) Act 2013 - Application Fees**

Purpose: To provide an update on fee levels for applications made to North Ayrshire Council under the High Hedges (Scotland) Act 2013.

Recommendation: That Cabinet agrees that (1) the current application fee remains unchanged; and (2) the fee structure for applications made under the Act is reviewed annually as part of the Budget process.

1. Introduction

- 1.1 The High Hedges (Scotland) Act 2013 ("the Act") came into force on 1 April 2014 and provides a procedure for applications to be made to the Council to act as an impartial adjudicator in disputes between neighbours related to high hedges which interfere with the reasonable enjoyment of domestic property. Cabinet approved the fee structure for such applications on 25 March 2014 and required that the fee provisions be reviewed after the first year of operation of the Act. This report will advise on the conclusions of that review.

2. Current Position

- 2.1 Cabinet on 28 January 2014 noted the terms of the Act and the associated statutory obligations on the Council and agreed that functional responsibility for implementation and enforcement of the Act be undertaken by the Corporate Director (Development and Environment). The Council agreed on 19 February 2014 that the Scheme of Delegation to Officers be amended to delegate to Officers the determination of any application arising from these statutory obligations.

- 2.2 Section 4 of the Act states that: (1) an application for a High Hedge Notice must be accompanied by a fee of such amount (if any) as the relevant local authority may fix; (2) an authority may fix different fees for different applications or types of application; (3) a fee fixed by an authority must not exceed an amount which it considers represents the reasonable costs of an authority in deciding an application under this Act.
- 2.3 Cabinet on 25 March 2014 noted that the processing of applications would be undertaken by Planning Services, and it was envisaged that most cases would involve a broadly similar workload to a planning application for a single site, including administration and IT support at registration, case officer site visit, analysis and consideration of issues. The fee for a standard application, with a single applicant and a single distinct hedge, was therefore set at £382 to match the basic planning application fee, which applies to a change of use of land or the erection of a single dwellinghouse. It was considered that the proposed £382 fee would be a cost neutral representation of the workload and costs incurred by the Council in determining an application.
- 2.4 Since the Act came into force, a total of four applications have been submitted to the Council: one application was not registered as it did not constitute a hedge in terms of the Act; one is awaiting further information to allow it to be registered; a third application was refused as the effect on the reasonable enjoyment of the residential property was not adjudged severe enough to justify service of a Notice; and in the final case, a High Hedge Notice was served requiring action. Appeals against the Council's decisions in the latter two cases were made to the Department for Planning and Environmental Appeals and the Council's decisions were upheld in both cases. The terms of the served notice were complied with and no further enforcement action by the Council was required.

3. Proposals

- 3.1 The application numbers received since the introduction of the Act have been in line with the initially anticipated levels and Planning Services' experience has also matched the expectation that Officer involvement in High Hedge applications would be generally similar to those in the basic planning application. There have been no other costs or significant considerations arising.
- 3.2 It is therefore recommended that Cabinet approve the continuation of the application fee at the current level of £382.

- 3.3 It is further recommended that the fee structure for any applications made under the Act be reviewed annually as part of the budget process, in order to ensure that the processing of applications continues to be carried out at neutral cost to the Council, in line with the provisions of the Act.

4. Implications

Financial Implications

- 4.1 It is considered that the proposed £382 fee would be a reasonable representation of the workload and costs incurred by the Council in determining the application.

Human Resource Implications

- 4.2 The provisions of the Act will be administered within the Service.

Legal Implications

- 4.3 None

Equality Implications

- 4.4 None

Environmental and Sustainability Implications

- 4.5 None

Implications for Key Priorities

- 4.6 The proposals support the Council Plan 2015 - 20 priority to protect and enhance the environment for future generations.

5. Consultations

- 5.1 None required

6. Conclusion

- 6.1 It is considered that the proposed £382 fee will continue to address the costs reasonably incurred by the Council in determining the applications.



KAREN YEOMANS
Executive Director (Economy and Communities)

Reference : JM/NMc

For further information please contact Neil McAteer, Assistant Planning Officer. on 01294 324316.

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 5

18 August 2015

Cabinet

Subject: **Upper Garnock Valley Flood Protection Scheme Progress Report**

Purpose: To seek the approval of Cabinet to (i) confirm the preferred flood protection scheme for the upper Garnock Valley and (ii) commence the formal notification process.

Recommendation: That Cabinet:-

- i. notes the outcomes of the consultation exercise undertaken in January and February of this year; and
 - ii. agrees to publish formal notification of the scheme.
-

1. Introduction

- 1.1 The Flood Risk Management (Scotland) Act 2009, requires the Council, in partnership with SEPA and Scottish Water, to identify flood risk areas and develop sustainable flood management options within North Ayrshire. The development of a comprehensive flood protection scheme for the upper Garnock Valley area has been developed over the past 2 years.
- 1.2 During this time SEPA, in conjunction with local Councils, has been developing Local Flood Risk Management Strategies and Plans. Through this work a national priority ranking list of areas at risk of flooding is emerging. Although not yet complete, and still subject to change, the list of potential projects includes three within North Ayrshire of which this scheme is one.
- 1.3 At its meeting of 11 November, 2014, Cabinet agreed that the most appropriate options to take forward to public consultation (as the constituent parts of a full scheme) were as follows :-

- The provision of flood storage through the construction of an on-line dam on the River Garnock to protect properties in Kilbirnie and Glengarnock.
- The provision of direct defences along the right bank of the Powgree Burn to protect properties in Glengarnock.
- The provision of direct defences along the south side of Beith Road (A737) to protect properties at Mill Park, Dalry.

2. Current Position

- 2.1 Public consultation commenced on 21 January 2015 and closed on 7 February 2015. Public exhibitions of the preferred scheme were held on the 21/22 January in Kilbirnie and the 26/27 January in Dalry. Presentations were also held on the evenings of the 21 and 26 January in Kilbirnie and Dalry, respectively. Approximately 100 people attended the exhibitions and those attending were invited to complete questionnaires or provide feedback either through the online portal or by letter. By the close of the consultation period, a total of 28 questionnaires had been completed along with several letters, and a number of comments/issues. A copy of the report on the public exhibition/consultation events and associated feedback, is attached in Appendix 1.
- 2.2 The key principles of the scheme remain unchanged following consideration of feedback provided. However technical details have been amended in a number of areas to reflect comments received in respect of fish passage and the requirements of Scottish Power and Network Rail. High level schematic drawings are attached at Appendix 2.
- 2.3 Negotiations with affected landowners are continuing. A verbal update on the latest position will be provided to Cabinet at the meeting.
- 2.4 The process to a formal decision upon the scheme is attached at Appendix 3. The next step in the process, once a preferred scheme has been approved by Cabinet, will be to publish formal notification of the scheme, while directly notifying key stakeholders and affected parties. At this point there is a 28 day period during which time objections to the scheme can be made.

3. Proposals

- 3.1 It is proposed that the Cabinet (i) notes the outcomes of the consultation exercise undertaken in January and February of this year; and (ii) agrees to publish formal notification of the scheme.

4. Implications

Financial Implications

- 4.1 The construction costs of the scheme is currently estimated at £14.5m. A further £1m for studies, design fees etc is anticipated. Schemes confirmed by the Government are eligible for grant funding of up to 80% of eligible costs. The Council has made provision within its capital plan to contribute 20% towards a confirmed scheme.

Human Resource Implications

- 4.2 There are no human resource implications.

Legal Implications

- 4.3 The scheme must be developed in accordance with the Flood Risk Management (Scotland) Act 2009.

The proposed flood storage option would result in the construction of a large raised reservoir under the Reservoirs Act (1975). The reservoir is an impounding structure and therefore will require a Complex Impoundment Licence under the Water Environment (Controlled Activities) (Scotland) Regulations 2011. In addition Engineering Licences will be required for the construction of the storage structure and any flood walls. Any drainage works would be subject to the General Binding Rules set out in the Regulations.

Equality Implications

- 4.4 An Equality Implication Assessment will be carried out during the detailed design stage of the project.

Environmental and Sustainability Implications

- 4.5 On the basis of the collated EIA screening data, and supporting discussions, an EIA is considered unnecessary to support the proposed on-line flood dam structure, centred on the River Garnock. However further surveys and a construction environmental management plan would be required as recommended in the EIA screening report.

Implications for Key Priorities

- 4.6 The project aligns with the Councils corporate objectives of protecting and enhancing the environment for future generations and supporting all of our people to stay safe, healthy and active.

Community Benefit Implications

- 4.7 The project will provide economic, cultural and physical benefits to the community.

5. Consultations

- 5.1 The local community and appropriate stakeholders have provided views through an initial consultation exercise in January and February. The notification process provides a further opportunity for formal comments. Ward Members have been briefed on progress and the next stage of the process.

6. Conclusion

- 6.1 A successful public consultation event took place in January this year and since then the preferred scheme has been finalised, ready to move forward to publish formal notification of the scheme. Discussions are ongoing with affected landowners regarding compensation packages.
- 6.2 Depending on the response to the formal notification of the scheme, it is intended to lodge the confirmed scheme as soon as possible with the Scottish Government.



CRAIG HATTON
Executive Director (Place)

Reference : CH/JS/LB

For further information please contact Joe Smith, Senior Manager, Roads & Transportation on 01294 324865

Background Papers

None

Upper Garnock Flood Protection Scheme

Report on Public Consultation

Upper Garnock Flood Protection Scheme

Rev No	Comments	Checked by	Approved by	Date
0	First draft for comment			05/05/2015

1 Tanfield, Edinburgh, EH3 5DA
Telephone: 0131 301 8600 Website: <http://www.aecom.com>

Job No 60304944

Reference 60304944-DOC-CON-00

Date Created 01/04/2015

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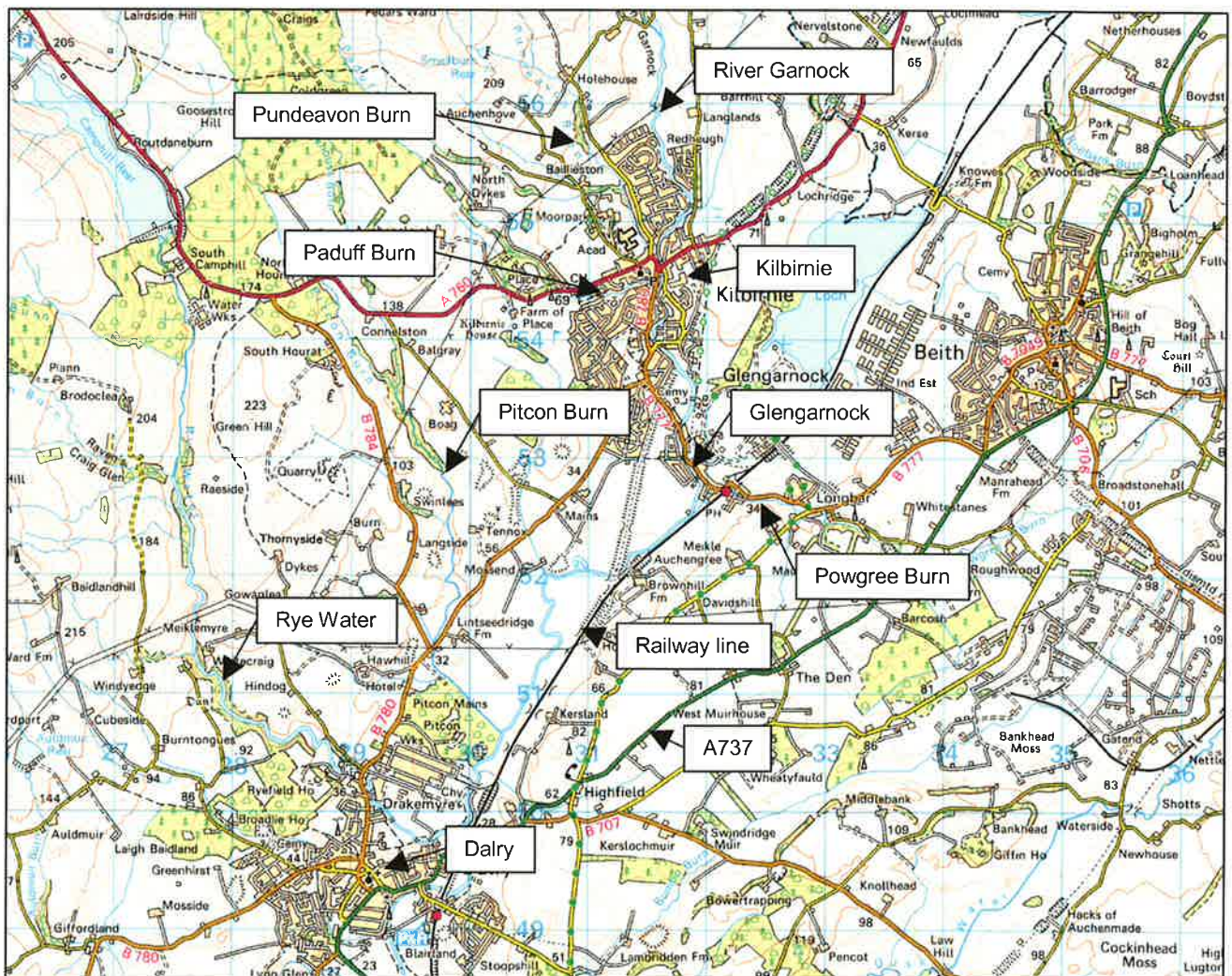
1 Introduction

1.1 Background

North Ayrshire Council (NAC) is developing proposals for a flood protection scheme (FPS) for the Upper Garnock area. This includes Kilbirnie, Glengarnock and Dalry; the study area is shown in Figure 1 below. A public consultation exercise was carried out in March 2013 to gain public views on a number of possible different options. Further work was then carried out to develop the scheme options in more detail and carry out an option appraisal as required by Scottish Government guidance. This allowed for a preferred solution to be developed.

In order to gain approval of the scheme, it needs to be notified under the Flood Risk Management (Scotland) Act 2009. To allow the public to comment on the scheme before formal notification, NAC carried out an additional public consultation exercise running from 21st January to 7th February. The public consultation was carried out in parallel with on-going consultations with key stakeholders and affected parties.

This document summarises the public consultation outcomes and includes NAC responses to queries raised.



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Figure 1 - Study area

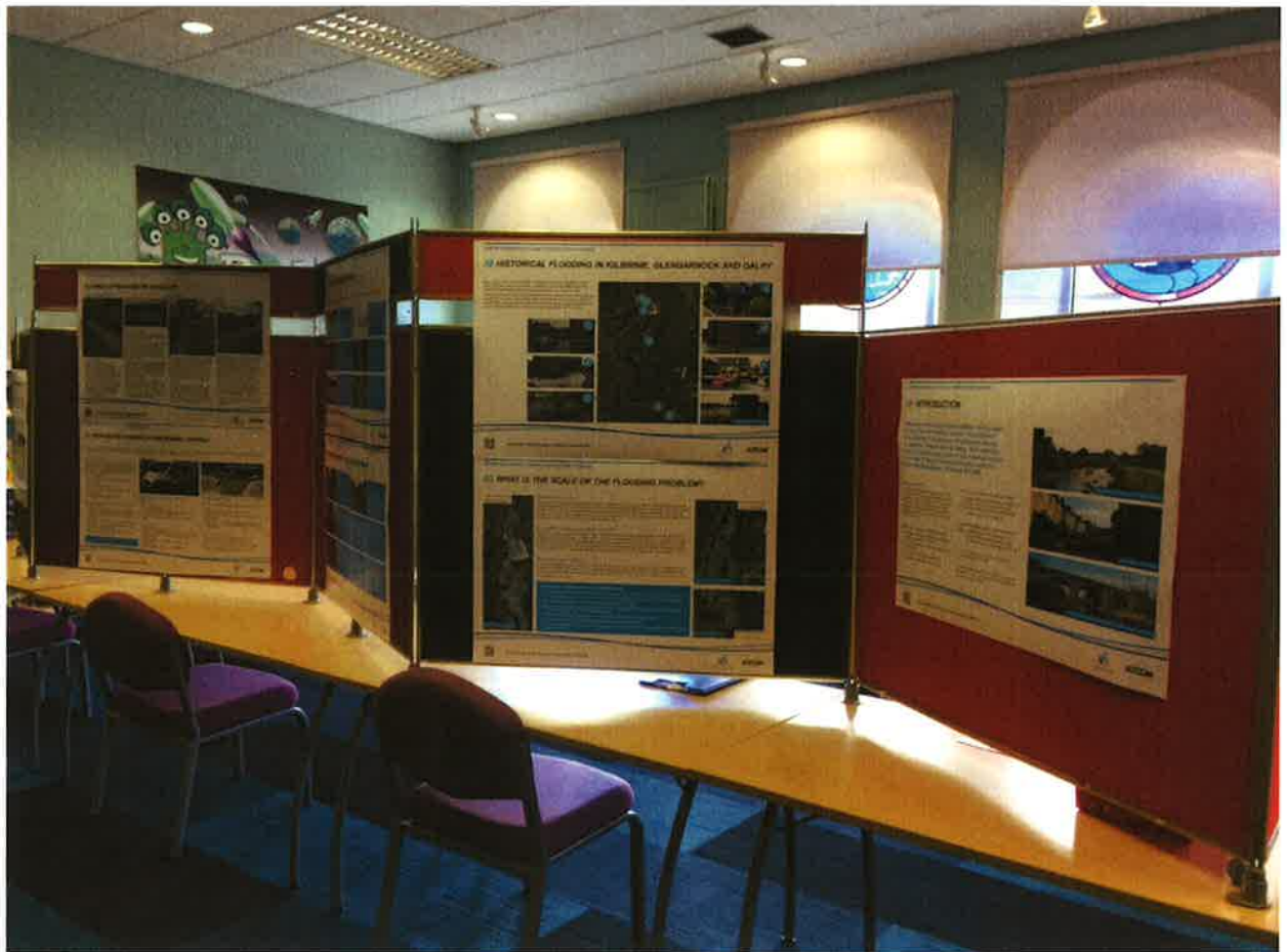
1.2 Consultation Process

Details of the consultation were advertised as follows:

- NAC website
- NAC twitter
- Local radio
- Local newspaper
- Posters in the local area

Letters were also sent out to parties potentially affected by the works.

Public exhibitions were held on 21st / 22nd January in Kilbirnie and 26th / 27th January in Dalry, with presentations on the evenings of the 21st and 26th January in Kilbirnie and Dalry respectively. The exhibition consisted of 15 posters, and leaflets were provided for people to take away. AECOM and NAC staff were present to answer queries and gather feedback from attendees.



Questionnaires and comment cards were provided in paper format, and the questionnaire was also made available digitally via the NAC website. Attendees were invited to complete the questionnaire or otherwise provide feedback using the contact details provided.

All the exhibition materials were provided on the NAC website at: <http://www.north-ayrshire.gov.uk/uppergarnockfps>

As part of the on-going scheme development process, we are also consulting with key stakeholders and affected parties, including:

- Affected residents
- Local land owners
- Local businesses
- SEPA
- Scottish Water
- Ayrshire Rivers Trust
- Scottish Power
- Network Rail
- Scottish Natural Heritage

2 Summary of Feedback and NAC Response

2.1 Feedback Responses

Around 100 people attended the exhibition, many of whom stayed for the presentation in the evening. A number of comments were made during discussions with the staff members present, and additional questions were asked following the presentation in the evening. A total of 28 questionnaires were completed and several letters were also received.

Respondents were generally in favour of the proposals, although some expressed reservations regarding the choice of options and the impact that the scheme could have.

2.2 Feedback Summary – Exhibition and Presentation

The feedback received is shown in Table 1 below, along with a response as required. Issues relating to consultations with key stakeholders and affected parties are covered separately (see section 3). Details of further work which will be carried out in response to the feedback are summarised in section 3.

Table 1 - Feedback noted during exhibitions and presentations

Ref	Feedback / issue	Response
GEN01	Is dredging a possible solution to the flooding problems?	Flood risk from the Garnock is not from a single location; dredging would therefore be required along the entire river reach. The channel is already scoured out in a number of locations, meaning additional dredging would require cutting into bed rock, adding significant technical challenges and costs. Dredging would undermine existing river training walls and river banks, requiring reconstruction. This makes dredging uneconomical. Dredging would also have significant impacts on the environment, notably fish.
GEN02	Can existing dams in the catchment be used for flood storage?	The flow contribution from the tributaries (and hence the potential impact of flood storage) is limited. Furthermore, modifications for flood storage would be prohibitively expensive.
GEN03	What are the timescales for action? And will they be affected by the general election?	Further development is dependent on Scottish Government funding. The government has not yet announced how funding will be allocated. We are therefore working to finalise and gain approval for the scheme so that an application for government funding can be made as soon as details are announced.
GEN04	Is there a plan B if the works don't go ahead?	Plan B would involve property-level protection. The upstream storage scheme is the preferred solution based on a comprehensive assessment of economic, social and environmental costs and benefits.
GEN05	The current risk of flooding is a significant cause of stress and worry to those at risk.	This is a key driver for promoting the scheme.
GEN06	There are a number of historical watercourses in the area which have been piped.	Historical watercourses do not affect the performance of the proposed upstream storage solution.
GEN07	The size of the material transported by the river is significant – including boulders and trees.	This is acknowledged. A geomorphological assessment has been carried out to assess the impacts of the proposals on sediment transport. This will be reported on separately.

Ref	Feedback / issue	Response
GEN08	There are salmon, kingfisher and otters in the local area.	We are consulting with Ayrshire Rivers Trust to minimise the impacts of the proposals on fish. At the detailed design stage, an application would be made to SEPA for a licence under the Water Environment (Controlled Activities) (Scotland) Regulations 2011. Works would not be able to go ahead unless they were designed and planned to the conditions set out in the licence by SEPA. A Construction Environmental Management Plan would also be prepared prior to construction.
GEN09	The channel has been scoured out (no location mentioned).	This was also noted by the geomorphologist who visited the site.
GEN10	The personal financial impacts should be assessed as opposed to economic impacts.	To apply for Scottish Government funding, scheme appraisals were carried out in accordance with the guidance set out by the government. This requires consideration of economic impacts. We have, however, also considered the social and environmental impacts and benefits of the options.
GEN11	Residents have increased insurance costs, and some have found it difficult to find insurance.	The proposed scheme would significantly reduce the risk of flooding.
GEN12	The value of homes in the area is affected by flooding / flood risk.	As part of the economic appraisals, home values were set to the 'risk-free' value of an equivalent property.
GEN13	Works seem excessive compared with scale of the problem, although others were pleased to see progress on the scheme.	A full economic, social and environmental appraisal was carried out to ensure the proposed scheme is viable.
KIL01	What will be the impact of the dam on sediment transport (geomorphology)?	A geomorphological assessment has been carried out to assess the impacts of the proposals on sediment transport. This will be reported on separately.
KIL02	Can the existing embankment along Valefield playing fields be extended and used for flood protection?	The current bank is not a formal flood defence structure. Although it may provide some degree of flood protection, it cannot be relied upon as part of a formal scheme. The upstream storage solution means that the bank is not relied upon as part of the scheme, as flows in the river will be reduced with the storage area in place. This means that flood risk to Valefield playing fields and beyond is reduced. We investigated the scope for reconstructing and extending the embankment as part of the scheme, however this was found to be uneconomical.
KIL03	What is the construction impact on Kilbirnie town?	The works taking place within Kilbirnie / Glengarnock are small and highly localised, meaning impacts should be small. Construction traffic for other works will be managed to minimise impacts on the local area so far as is practical.
KIL04	The breaking up of an old weir at Lynn Drive is resulting in increased flood risk downstream	The flood storage provided behind the weir was not significant, nor is the amount of material released when the weir was removed. Weirs and the associated pools do have localised effects on river flows, however the downstream impact (where most of the flood risk is located) of a single weir, is not significant.
KIL05	Will Kirkland Bridge be replaced as part of the scheme?	Replacement of Kirkland Bridge, or making amendments to it, was considered as part of the appraisal process but was not found to be economically viable (costs far outweighed the limited flood risk benefits).
KIL06	The proposed dam is located in an area of Salmon spawning grounds.	The works proposed within Kilbirnie and Dalry would not adversely impact on fish, since the works are generally away from the river. We are working with SEPA and the Ayrshire Rivers Trust on this matter and will report on this separate to this consultation.
DAL01	Concern about the impacts of agricultural embankments along the Garnock upstream of Dalry on downstream flood risk.	Model results indicate that the existing agricultural embankments along the River Garnock are overtopped on a relatively frequent basis. Their impact on downstream flood risk is therefore limited.

Ref	Feedback / issue	Response
DAL02	DSM discharges effluent into sewer. Blockages in the network have caused inundation within Mill Park.	We are working with Scottish Water to incorporate existing sewers into the proposals.
DAL03	The wing wall at the railway underpass on Beith Road has been damaged as a result of being struck by traffic on a number of occasions.	We are working with Network Rail to incorporate existing infrastructure into the proposals.
DAL04	A large amount of surface water enters Mill Park via the main entrance road.	The risk of residual surface water flooding with the scheme in place will be addressed as part of the proposals. We are currently considering some minor road re-grading works to keep surface water out of Mill Park.
DAL05	Will lessons be learnt from flooding in Kilmarnock?	All elements of the flood scheme will be designed and constructed in line with the required design standards. We will always seek to learn from previous failures, however it is stressed that flooding can never be completely prevented. This is why the upstream storage dam will be specifically designed to safely overtop.
DAL06	Mill Park was always known to be on the flood plain – why was planning permission granted?	The scheme appraisals are focussed on those area currently most at risk of flooding.

2.3 Feedback Summary – Questionnaire and Other Contact

There were a total of 28 respondents who completed the questionnaire, and a number of letters were also received.

25 questionnaire respondents wanted to see a flood protection scheme for the area, and 24 approved of the approach taken. 9 people raised concerns about the scheme – these are noted in the table below. A number of people noted they were pleased that the scheme was progressing, stressing that “the sooner the better”. 16 respondents had been affected by flooding in the past.

Issues raised in separate written responses are included in the table below.

Table 2 - Feedback from questionnaires and letters

Ref	Feedback / issue	Response
GEN14	Can data and information be provided (in particular hydrological data)?	The exhibition was aimed at explaining the scheme to the general public, using primarily non-technical data. In terms of the hydrological assessment, refer to GEN15.
GEN15	Proposals are developed based on future predictions, not what will actually happen.	We cannot predict what will happen in the future. The hydrological assessment used hundreds of years of hydrological records to estimate the likelihood of certain floods occurring in the future. This allows us to assess which areas may be at risk and design protection accordingly. This is standard practice as used on flood risk protection schemes all over the UK. In terms of visualisations provided; to aid public understanding of the proposals, we decided to use photographs of similar schemes, as opposed to engineering drawings.
GEN16	Waste of taxpayers' money	The proposed scheme has a benefit – cost ratio of 1.25, meaning every pound spent will yield an economic benefit of £1.25. Furthermore, the reduction in flood risk has significant health benefits and reduces reliance on boundary walls not designed as flood defences.
GEN17	Dredge now as it will be a long time before funding is awarded.	As noted in GEN01, dredging is not considered to be an appropriate solution for the flood risk. Further development is dependent on Scottish Government funding. The government has not yet announced how funding will be allocated. We are therefore working to finalise and gain approval for the scheme so that an application for government funding can be made as soon as details are announced.

Ref	Feedback / issue	Response
KIL07	Blockage of the dam outlet would cause flooding of country roads into the Tesco car park.	<p>The current proposal includes two openings, around 2m high by 1.5m wide. This is sufficiently large to pass most large debris. A coarse screen will be located upstream of the culvert which will intercept large debris such as trees. The risk of blockage is therefore considered to be low.</p> <p>The dam is designed to overtop safely. In such an event, flow would overtop the spillway and be returned to the natural channel (not onto roads). Even if the culvert were completely blocked, the storage provided would reduce the magnitude of downstream flooding.</p>
KIL08	Access tracks impact in area of natural and recreational worth	Access to and through the area will be maintained with the scheme in place. The proposed grass finish will minimise the visual impact of the embankment.
KIL09	The bank along Valefield playing should be extended in order to reduce flood risk	See response to KIL02.
KIL10	The gravel below Kirkland Bridge needs to be cleared regularly	Hydraulic modelling indicated that the influence of the gravel build-up does not extend very far upstream; removal of the material therefore does not significantly impact on flooding of Valefield playing fields and beyond. A maintenance regime will therefore not be incorporated as part of the Upper Garnock Flood Protection Scheme.
KIL11	Impacts on migratory fish (e.g. Salmon)	See response to GEN08 and KIL06.
KIL12	Dredging would reduce flood risk.	See response to GEN01.
KIL13	The UK Government has ordered that rivers are dredged	The UK Government provided funding specifically for the dredging of the rivers Parrett and Tone. This has no impact on the findings for the Upper Garnock area. It is also worth noting that according to the Environment Agency increased dredging would not have prevented the flooding which occurred.
KIL14	Blockage of coarse screen at dam	See response to KIL07. The screen would be checked regularly, particularly following large flood events.
DAL07	Impacts on local farm	We are dealing with affected parties as part of the on-going consultation process as noted in section 3.
DAL08	Might the Rye Water flood further upstream?	The proposed works result in increases in flood levels in the floodplains north of Mill Park, with the impact diminishing with distance from Mill Park. The upstream limit of influence is the recreational area near Dalry bowling club – around 150m upstream of the footbridge / ford at Riverside Cottage (the specific property to which this query relates is well outside of this area of influence). Mitigation works for affected parties are included as part of the scheme.

3 Next Steps

3.1 On-going Work

We are continuing to work with the Ayrshire Rivers Trust to ensure the proposals minimise impacts on migratory fish. We have carried out a geomorphological review and ecological surveys will be required prior to construction.

Consultations with key stakeholders and affected parties are on-going:

- Affected residents
- Local land owners
- Local businesses
- SEPA
- Scottish Water
- Ayrshire Rivers Trust
- Scottish Power
- Network Rail
- Scottish Natural Heritage

It should be noted that providing feedback to the consultation did not constitute a formal objection to the scheme. This should only be done following scheme notification. We hope, however, that the consultation process and the responses included in this document have helped to resolve concerns.

3.2 Scheme Notification

Once we have finalised the proposals, the scheme can be prepared for formal notification under the Flood Risk Management (Scotland) Act 2009. This means NAC will publish the final scheme and notify key stakeholders and affected parties. There will then be a 28-day period within which objections may be made. The final scheme documents will be made available for public viewing.

NAC will need to apply for funding for the scheme. The Scottish Government has not yet released details of the funding process; however funding will not be made available before the end of 2015. Our current work is therefore focussed on developing the scheme as much as possible and seeking the necessary approvals.

4 Conclusions

The public consultation period ended on 7th February. A total of 28 questionnaires were completed, several letters were received and a number of issues were raised on the days of the exhibitions. Since then, we have been working to respond to the issues raised and continue our consultation with key stakeholders and affected parties.

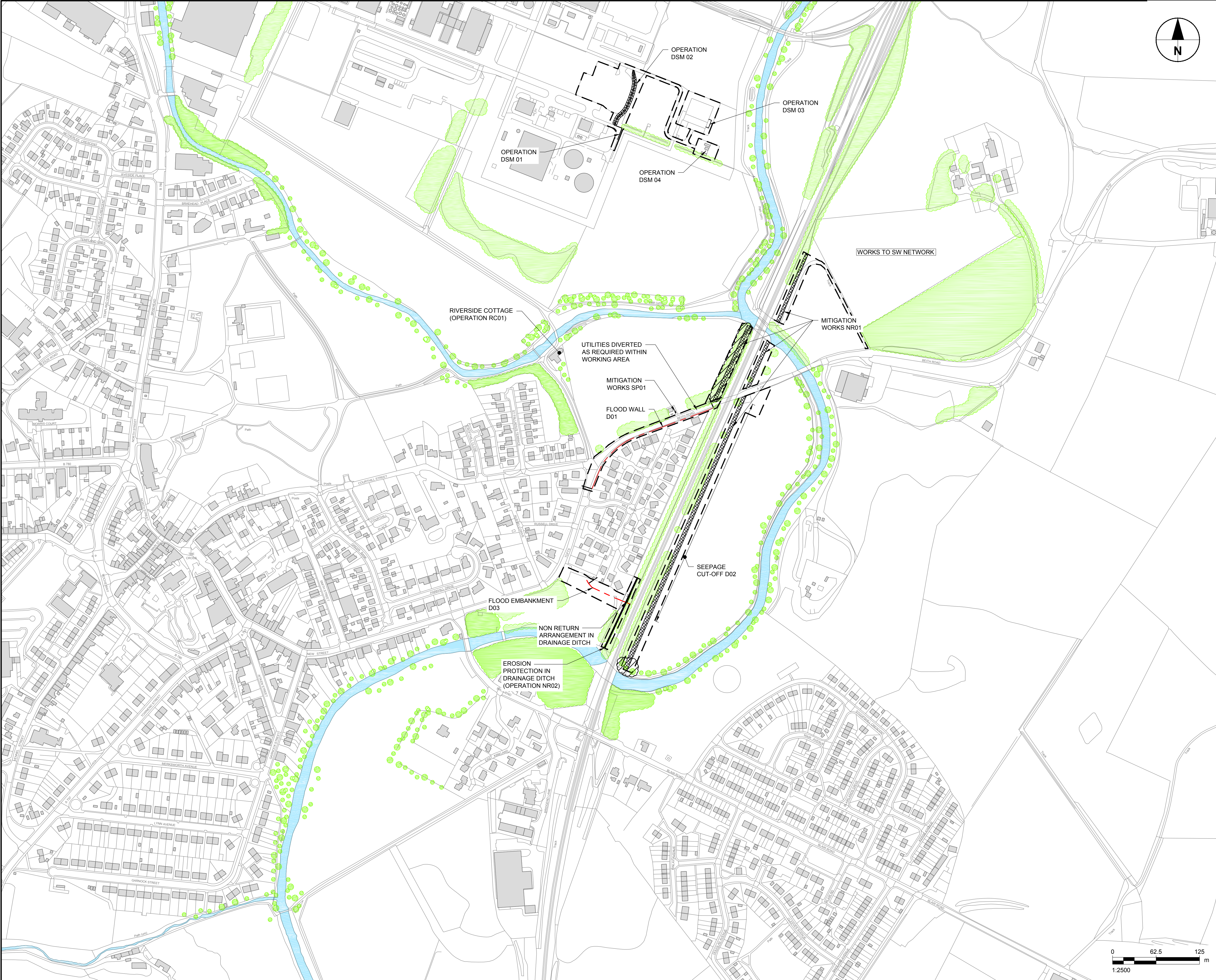
Responses to the issues raised are included in this document. Impacts on migratory fish are being investigated and will be reported on separately. Consultation with stakeholders is on-going.

Once we have finalised the scheme, NAC can seek planning permission through the Flood Risk Management (Scotland) Act 2009 by publishing the final scheme and notifying key stakeholders and affected parties. There will then be a 28-day period within which objections can be made.

It is hoped that the consultation process and the responses in this document have helped to resolve concerns.

ISO A1 594mm x 841mm
Approved: DH
Checked: MB
Designer: MB
Project Management Initials: D
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B
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PROJECT

**UPPER GARNOCK
FLOOD PREVENTION
SCHEME**



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- LEGEND**
- LIMITS OF LAND AFFECTED BY THE WORKS
 - [Solid Green] EXTENT OF TREES & VEGETATION TO BE RETAINED WHERE POSSIBLE
 - [Hatched Green] EXTENT OF TREES & VEGETATION EXPECTED TO BE REMOVED

ISSUE/REVISION

A	2015-07-17	FRM ACT NOTIFICATION
I/R	DATE	DESCRIPTION

KEY PLAN

PROJECT NUMBER

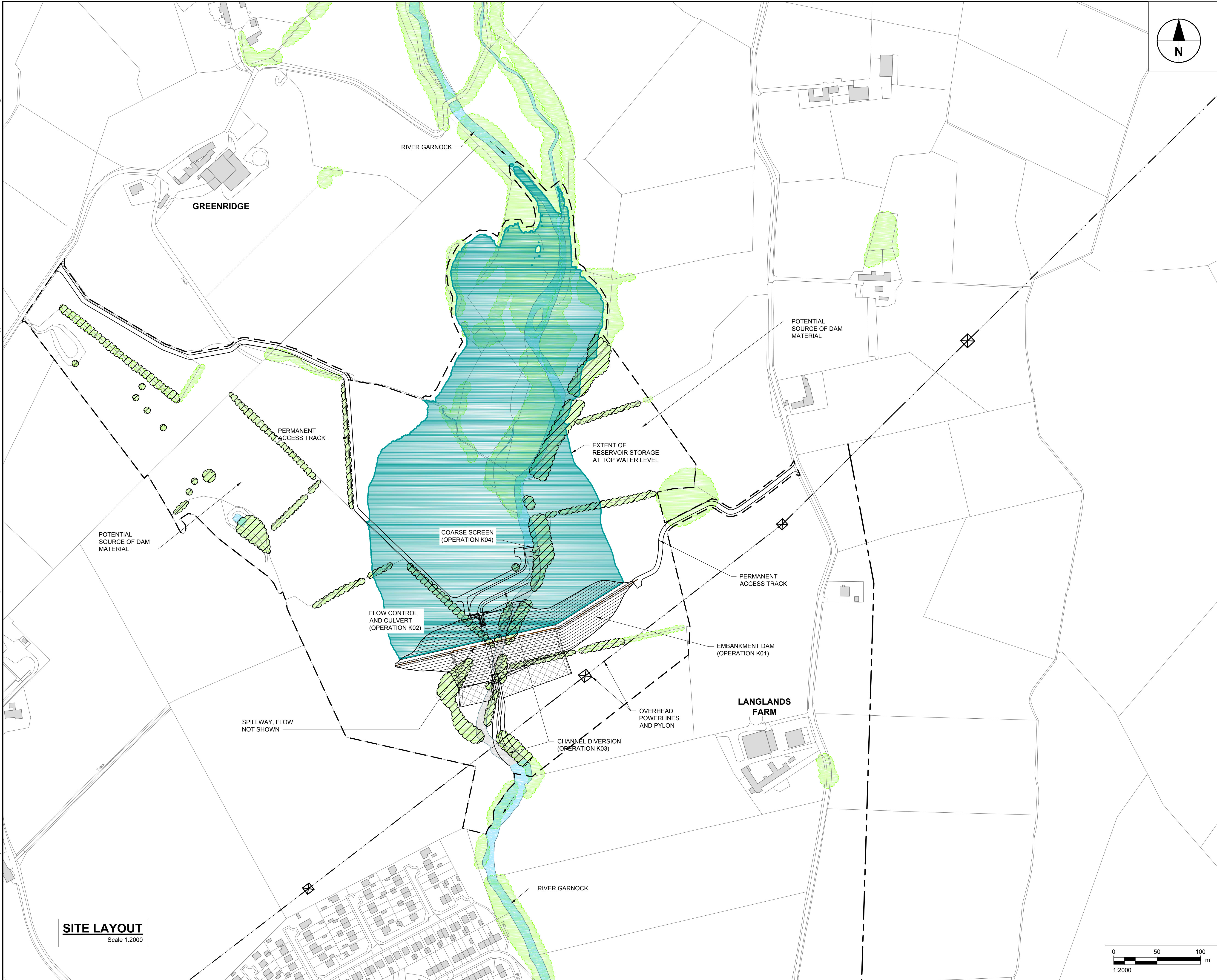
60304944

SHEET TITLE

DALRY MILL PARK
DEFENCES PLAN

SHEET NUMBER

DALR-G-0011



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PROJECT

UPPER GARNOCK
FLOOD PREVENTION
SCHEME

CLIENT



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COUNCIL

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LEGEND

- LIMITS OF LAND AFFECTED BY THE WORKS
- Extent of trees & vegetation to be retained where possible
- Extent of trees & vegetation expected to be removed

ISSUE/REVISION

I/R	DATE	DESCRIPTION
C	2015-07-17	FRM ACT NOTIFICATION
B	2014-12-12	FOR INFORMATION
A	2014-01-17	FOR INFORMATION

KEY PLAN

PROJECT NUMBER

60304944

SHEET TITLE

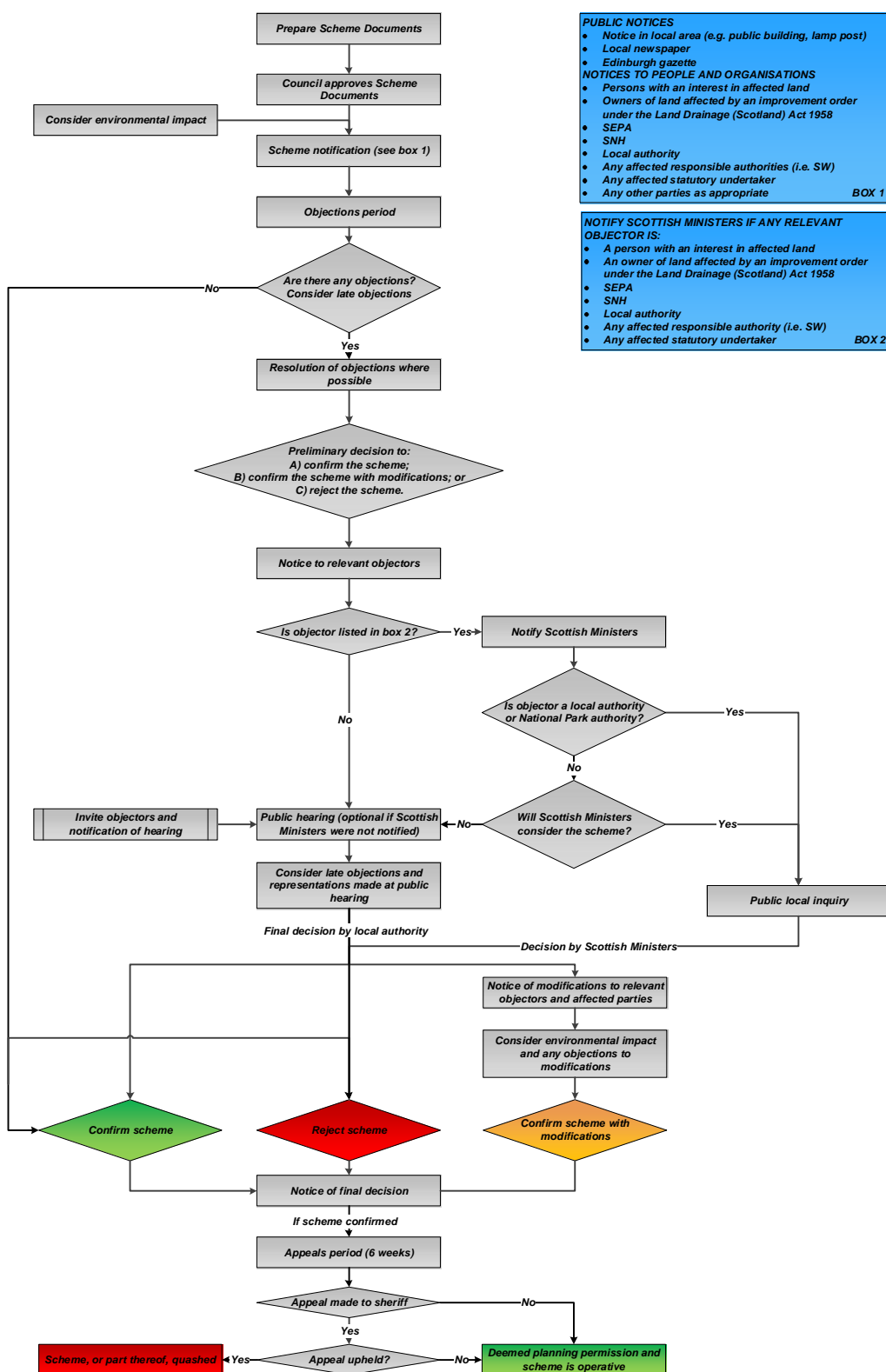
ON LINE STORAGE
SITE LAYOUT

SHEET NUMBER

KILB-C-2110

Flood Protection Scheme Flow Chart

Flood Risk Management (Scotland) Act 2009 and the Flood Risk Management (Flood Protection Schemes, Potentially Vulnerable Areas and Local Plan Districts) (Scotland) Regulations 2010



This flow chart has been prepared to offer guidance on the process of promoting a Flood Protection Scheme under the Act. It is recommended that the Act and Regulations are consulted to ensure all legal requirements are met.

NORTH AYRSHIRE COUNCIL

Agenda Item 6

18 August 2015

Cabinet

Subject: **Welfare Reform Activity 2015/16**

Purpose: Cabinet to endorse progress on the welfare reform action plan and to advise of further welfare reforms to be implemented from April 2016 onwards.

Recommendation: That the Cabinet endorses (i) welfare reform activity in 2015/16; (ii) the progress made against the welfare reform action plan as set out at Appendix 1; and (iii) notes the welfare reforms to be implemented from 2016 onwards.

1. Introduction

- 1.1 This report provides an update on the action taken in 2015/16 to mitigate the welfare reforms contained in the Welfare Reform Act 2012; progress against the Council's welfare reform action plan, as set out at Appendix 1 and further welfare reforms announced by the UK Government in the 8 July 2015 budget.

2. Current Position

2.1 Universal Credit

- 2.1.1 Table 1 below shows the Universal Credit (UC) position from the go live date 27 April 2015 to 30 June 2015 compared to Department for Work and Pensions projections:

Table 1

	June 2015	DWP projection at 30 June 2015	Difference
New claims	391	482	-91
Digital support	11	24	-13
Personal Budgetary Support (straightforward)	4	18	-14
Personal Budgetary Support (complex)	0	6	-6
Council Tax Reduction claims	10	96	-86
Service Centre support	7	96	-89

- 2.1.2 Saltcoats Jobcentre has the highest number of new UC claims with 209 (53%); Irvine 155 (40%) and Kilbirnie 27 (7%), which reflects local demographics.
- 2.1.3 There is a low take-up of digital support to complete UC application forms and Jobcentre Plus personal budgeting support (PBS) referrals to Council, Housing Associations and third sector partners for vulnerable people and people with financial difficulties. Early indications are that the majority of working age applicants have the IT skills to complete the online application form. The DWP has provided PBS training to their Jobcentre work coaches to improve referral levels.
- 2.1.4 At 30 June 2015 three council tenants had been referred by the DWP for Personal Budgeting Support with two accepting support and one refusal. Four council tenants have received face to face digital support and one by telephone.

- 2.1.5 Partnership arrangements with local Jobcentre Plus offices, Housing Associations and third sector are working effectively but some early administration issues have emerged with the virtual DWP Service Centre, for example; data sharing regulations that came into force in February 2015 include notification by the UC Service Centre to the Council of tenants who have made a claim for Universal Credit. Notifications are not being received in every case and this is compromising the early support and intervention that is provided by Housing Services Welfare Reform Advice Team. This is a national issue and has been escalated with the local DWP.

2.2 Universal Credit and Council Tenants

- 2.2.1 61 Council tenants have made a claim for UC and 47 have rent arrears of £23,891; some tenants had rent arrears prior to applying for Universal Credit. Rent arrears may increase once UC is in payment and housing costs are paid direct to the tenant.
- 2.2.2 Housing Services have made 21 managed payment applications to the DWP UC Service Centre to have the housing element paid direct to the Council; seven responses have been received. The DWP Service Centre is, in some cases, taking over 30 days to process applications, this delay is mirrored in other local authorities. The DWP has recently put an escalation process in place which commences 8 days after the date of application. The position continues to be monitored.

2.3 Universal Credit Waiting Days

- 2.3.1 Waiting days relate to a prescribed number of days after a claim for UC has been made, and where a claimant is not entitled to receive a payment even though they may meet the eligibility criteria.
- 2.3.2 The Universal Credit (Waiting Days) (Amendment) Regulations 2015 came into effect on the 3 August 2015. This introduced seven 'waiting days' of non-entitlement at the start of a new UC claim for claimants who fall into the "All work related requirements " group as prescribed by Section 22 of the Welfare Reform Act 2012 i.e. claimants who are required to meet DWP work focused interview, work preparation, work search and work availability requirements. This means that some tenants will not receive UC, including Housing Costs, or have any income for the first seven days of a claim and in total it will be six weeks before a claimant receives their first monthly UC payment.

This raises the issue as to how tenants will manage without any income and pay their rent. This may have an impact on rent arrears as many tenants may not be able to afford these costs; and could increase the number of Scottish Welfare Fund Crisis Grant applications. The DWP can provide an interest free short-term advance payments of UC, which is repayable by the claimant from their UC; the amount of a short-term advance excludes the seven waiting days.

2.3.3 Seven waiting days do not apply to claimants who:

- are making a new claim because their relationship status has changed (e.g. two single people making a claim as a couple)
- are terminally ill;
- have recently been victims of domestic violence;
- are care leavers;
- are aged 16 or 17 and without parental support;
- have been a prisoner within the month ending on the relevant date; or
- have been entitled to a Jobseeker's Allowance or an employment and support allowance within the 3 months ending on the relevant date.

2.3.4 Seven waiting days under UC replicates the current arrangements for Jobseekers Allowance (JSA) and Employment Support Allowance (ESA) but under JSA and ESA claimants can still apply for, and receive, Housing Benefit during the seven days but this doesn't apply under UC because the Housing Element is an integral component of UC; this may increase the risk of hardship.

2.3.5 The UK Government estimate that this amendment will save around £150m per annum once Universal Credit is fully rolled out; and the savings will be used to fund measures to get people back into work and off benefit for example; delivering additional support for claimants in Jobcentre Plus including weekly work search for 50% of claimants and quarterly work search interviews for all claimants.

2.4 Scottish Welfare Fund

2.4.1 The cumulative number of 2014/15 Scottish Welfare Fund applications and awards as at end of June 2015 compared to June 2014 is shown in table 2 below; June 2015 expenditure is based on high priority compared to June 2014 which was a medium priority, which explains the higher amount awarded.

Table 2: Scottish Welfare Fund summary June 2014 to June 2015

	Crisis Grants			Community Care Grants		
	Jun-15	Jun-14	Change	Jun-15	Jun-14	Change
Applications	1,499	1,662	-10%	683	729	-6%
Awards	1,034	1,266	-18%	254	414	-39%
%age awards made	69%	76%	-9%	37%	57%	-35%
Expenditure	£68,056	£82,640	-18%	£133,343	£286,413	-53%
Average award	£66	£65	1%	£525	£692	-24%
Projected year end outturn	£253,058	£278,087	-9%	£685,961	£1,091,605	-37%
Budget	£362,400	£362,400	0%	£705,720	£705,720	0%
Variance	(£109,342)	(£84,313)	30%	(£19,759)	£385,885	-105%

Note: the outturn figures exclude budget and expenditure on awards carried forward from 2013/14.

- 2.4.2 The priority for both grants was changed from medium to high during 2014/15 to ensure that expenditure was contained within total Scottish Government cash limited funds. The average payment for a crisis grant remains unchanged but the reduction in the number of awards reflect that some applicants have received the maximum three payments permitted under the scheme. The average payment for a community care grant and the number of awards has fallen compared to last year; this is due to the high priority; the Scottish Welfare Fund team continues to review the goods and items of household furniture and furnishings awarded under high to ensure appropriate support is available to vulnerable residents, and expenditure is maximised without exceeding cash limited funds.

2.5 Discretionary Housing Payment (DHP)

- 2.5.1 2014/15 DHP outturn for spare room subsidy was £1,793,886; Scottish Government and DWP provided initial spare room subsidy funding of £1,644,477. A request has been made to the Scottish Government for the balance of funding to be met from £3m DHP funding for Scottish Local Authorities that was set aside until the final spare room subsidy expenditure amount was known.
- 2.5.2 A further £120,867 DHP was awarded in 2014/15 including tenants living in private rented accommodation and households affected by the benefit cap. A similar level is anticipated for 2015/16.
- 2.5.3 It is projected that £1,895,725 DHP will be required for spare room subsidy in 2015/16; confirmed Scottish Government and DWP funding is £1,548,114 leaving a shortfall of £347,611 to be met by the Scottish Government once the final outturn figure is known.

2.6 Impact on Local Support Services

- 2.6.1 The impact of welfare reform on local support services from June 2013 to June 2015 is shown in table 2 below; the majority of areas show either a stabilised or downward trend.

Table 2: impact on local support services

Position at end of June 2013 to June 2015	June 2013	June 2014	June 2015
Welfare reform financial issues	195	254	13
Welfare Rights enquiries	789	890	804
Social Services destitution referrals	145	157	131
Housing options	550	455	491
Homeless presentations	190	188	193
Housing referral to Money Matters	94	96	54
Money Matters general debt enquiries	188	90	90

2.7 Employment Initiatives

Employability hub

2.7.1 The employability hub in Stevenston opened in June 2015; Council Services and on site partners include:

- Employability & Skills;
- Housing Services;
- Money Matters;
- Participation & Empowerment;
- 1st Alliance credit union;
- Ayrshire College;
- CEIS;
- Community Learning and Support Project (CLASP);
- NACAS;
- NHS;
- Princes Trust;
- Skills Development Scotland; and
- The Ayrshire Community Trust (TACT).

2.7.2 The Hub advisers are conducting initial assessments with customers before making referrals to services. Partners have been working from the Hub with existing customers and taking on new referrals generated from the Hub. Employability and Skills will continue to work on the referral and feedback process with partners to capture and monitor the support provided to customers.

2.7.3 Early findings and outcomes achieved are:

- 16 registrations had been made to the Hub in the first few weeks of opening;
- Majority of referrals have been 25+ age range, under 6 months' unemployed and claiming JSA with lack of work experience being their main barrier;
- Referrals to Ayrshire College, CLASP, Skills Development Scotland, Welfare Reform Team and Workers Educational Association training programme; and
- 1 Universal Credit Application, 1 Benefit Calculation, Training Advice, 1 referral into a training provider, CV assistance, job searching and general advice and guidance.

CEIS welfare reform project

2.7.4 CEIS has made initial contact with 99 households identified as most affected by welfare reform and the outcomes achieved by end of June include:

- 19 Households initial assessment and action plan completed;
- Of this five have already moved into work and don't require further assistance; and
- All households received a 'better off calculation' to give them a clear understanding of the potential for increase in income working whilst also claiming UC
- 80 Households with initial contact made and follow-up contacts scheduled
- Partnership across a range of specialist providers established

2.7.5 Themes to emerge from initial household contact are:

- Households have a very limited understanding of Welfare reform and the impact it may have on them, both positive and negative;
- Long-term unemployment, lack of skills, perception of opportunities a key barrier;
- Budgeting support key part of programme; however, low income a bigger issue than budgeting skills;
- Extended family and household support required and delivered, e.g. older children looking for work; and
- Work experience required as a route into work.

2.8 Personal Independence Payment (PIP)

2.8.1 Personal Independence Payment (PIP) has been rolled out across the UK and the final phase, to transfer all current claimants from Disability Living Allowance (DLA) onto PIP, commenced 13 July 2015. The transfer date for North Ayrshire claimants is unknown, however, the process is to be completed by late 2017.

2.8.2 In June 2015 a Judicial Review in the High Court ruled that a delay in determining two PIP claims was unacceptable and unlawful. Two claimants waited 13 months and 10 months for a decision and, while their challenge was successful in terms of the time taken to make a decision, the Court ruled that their Human Rights had not been breached. The DWP has taken steps to rectify the situation with a target time of 16 weeks per application. This area continues to be monitored.

2.8.3 The claim process for the most vulnerable people, for example, customers those with a terminal illness, has improved in terms of the time taken to arrange a medical assessment and for the DWP to reach a decision. For Macmillan service users the “special rules” for people with a terminal illness works well, and telephone interviews have been arranged for Macmillan claimants who are too ill to travel to a medical assessment.

2.8.4 Some PIP related process and communication issues with the DWP have emerged, as noted below; they have been escalated with the DWP:

- Communication with DWP Service Centres over PIP related enquiries can take up to 10 days to conclude;
- There are delays in customer receiving notification of a PIP award and payment after a decision has been made;
- There is no set time limit for the DWP to conclude a PIP Mandatory Review or appeal; and challenges made by claimants are subject to delay; and
- North Ayrshire claimants could be asked to attend a medical in another Local Authority area, which may imply that local centres do not have the capacity to meet demand; and it is known that if a customer misses their medical appointment then there is a delay for it to be rearranged.

2.9 The Cumulative Impact of Welfare Reform on Households in Scotland

2.9.1 In March 2015 the Scottish Government Welfare Reform Committee published a report on the cumulative impact of welfare reform on households in Scotland. The key points from this report are:-

- When the current welfare reforms come to full fruition, which is now unlikely before 2018, they are expected to reduce incomes in Scotland by £1.5bn a year, or £440 for every adult of working age. The impact falls unevenly on different places, and on different households;
- Families with dependent children face one of the biggest reductions in Scotland; couples with children lose an average of more than £1,400 a year; and lone parents around £1,800 a year through the cumulative impact of several individual benefit changes;
- Claimants with health problems or disabilities will also see reductions in incapacity benefits estimated to average £2,000 a year, and some of the same people also face reductions in Disability Living Allowance;

- Nearly half the reduction in benefits might be expected to fall on in-work households; and
- The overall financial reduction arising from welfare reform in North Ayrshire is estimated to be £47m per annum or £540 per working age adult per annum, compared to £440 per annum in Scotland. The Council was ranked 5th in terms of impact with Glasgow, Inverclyde, West Dunbartonshire and Dundee being the others. This is to be expected given the high level of deprivation and low income households in North Ayrshire.

2.10 Future welfare reforms

2.10.1 The Chancellor of the Exchequer budget of 8 July 2015 contained proposals to reduce welfare spending by £12bn by 2019-20; the Welfare Reform and Works Bill 2015/16 will provide the legislative basis for these changes. Some of the key proposals are:

April 2016

- Working-age benefits to be frozen for four years from 5 April 2016 including housing benefit applicable amounts, tax credits and local housing allowance; but excludes Personal Independence Payments, Disability Living Allowance and Employment Support Allowance; this means that the amount received in working-age benefits may not keep pace with the cost of living, increased rent charges and inflation. Freezing working age benefits for four years may make it harder for many tenants to escape the poverty trap. This could place them under further financial difficulties which could impact on rent payments to landlords; and increase demand for public services. This might be off-set by the £800m increase in discretionary housing payment announced in the Budget. It is not known if this is in addition to the current funding of £125m per annum.
- Prior to the budget a person receiving tax credits could earn £6,420 before their in work benefits started to be withdrawn for every extra pound earned; this has now been reduced to £3,850, which means that money will be withdrawn faster and this may act as a disincentive to work. The taper rate at which a person's or household's tax credit award is reduced will be increased from 41% to 48%; this means a person on tax credits will lose 48p of tax credit for every £1 earned above £3,850 until the tax credit is reduced or the person comes off tax credits completely.

- Universal Credit work allowances are used to incentivise work and before the budget there were 7 different rates in place that had to be earned before Universal Credit was withdrawn. After the budget there are only three reduced rates and the 65% taper rate for Universal Credit is unchanged.

Nil; for example a couple with no children will start to have their Universal Credit withdrawn as soon as they start earning;

£2,304; for example a lone parent with no Housing Element can earn up to this amount before their Universal Credit starts to be withdrawn; and

£4,764; for example a lone parent with the Housing Element can earn this amount before their Universal Credit starts to be withdrawn.

- Housing Benefit backdating will be restricted to a maximum of four weeks from April 2016;
- The “family premium” (currently £17.45) for Housing Benefit claimants with dependent children will be withdrawn from new HB claims and not counted as part of a claimant’s applicable amount; resulting in less housing benefit awarded.
- Disability benefits for example Disability Living Allowance and Personal Independence Payment will remain as a non-means tested and non- taxable benefit.

April 2017

- Most welfare support provided to families will be limited to two children; subsequent children born after April 2017 will not be eligible for further support. This will apply to Housing Benefit, tax credits and UC where a new claim is made from April 2017; restricting tax credits to two children may make it harder for many tenants to escape the poverty trap. This could place them under further financial difficulties which could impact on rent payments to landlords; and increase demand for public services.

- The removal of the automatic entitlement to help with housing costs for new claims in Universal Credit from 18-21 year olds who are out of work. There will be some exemptions; and no automatic entitlement to claim housing benefit; with a new "earn to learn" youth obligation introduced. The effect of the removal of Housing Benefit for 18 to 21-year-olds is harder to gauge, as the rules around exemptions have not been published, and the DWP statistics only use an age band of under 25 in its reports. In February, there were just over 28,000 under 25s claiming Housing Benefit, just over half of whom were claimants with children of their own; depending on rules around this change it could place current tenants' homes in this age group at risk or make it difficult for them to obtain accommodation. There are 97 individuals who would be affected by this reform with an estimated loss of £9,467 per week or £454,416 per 48 rent weeks.
- A couple starting a family after April 2017 will no longer be eligible to receive the Family Element in tax credits or the first child premium as part of their applicable amount under Universal Credit; this means they will receive less Universal Credit and a reduced Housing Element; this may increase debt and rent arrears;
- New Employment Support Allowance claimants who are placed in the DWP Work-Related Activity Group currently receive more benefit than people on Jobseekers Allowance. Under the budget ESA claimants in the Work-Related Activity Group will receive the same rate of benefit as those claiming Jobseeker's Allowance, alongside additional support to help them take steps back to work. This equates to a £30 reduction in income per week. This will increase the amount of Housing Benefit paid and should not affect rent arrears but household income will reduce and this may increase other debt.

Start date to be confirmed

- Benefit Cap revised from £26,000 to £20,000 for couples and single parents and from £18,000 to £13,400 for single adults; The current exemptions to the cap will continue to apply; this will increase the number of households that will be affected but the number in North Ayrshire is unknown;

- The reduction of the benefit cap may mean that families who are housing association tenants may be affected for the first time, as their rents are higher than Council rents. For example; a couple with three children claiming ESA, their Personal Allowance, Child Tax Credit and Child Benefit come to £361 per week. The benefit cap is £385 per week, so leaving a maximum of £24 for extra benefits such as Housing Benefit. Given that a typical rent of a three-bedroom house might be £75 per week, the family would have to find over £50 per week towards their rent; the cap could result in tenants in the private sector having to give up their tenancies and look to the local authority for rehousing (where rents are lower); but the availability of accommodation may be an issue.

2.10.2 The reforms may impact on the amount awarded under council tax reduction scheme and increase the cost of the scheme.

2.10.3 Some of the UK key implications identified by the Institute for Fiscal Studies include:

- Four year freeze; reduces spending by £4 billion a year; 13 million families to lose average £260 per year (7.4m in work to lose an average £280 per year); this follows the previous 2012 reform to limit the increase in benefits to 1% from April 2013 to March 2016; this equates to 8% cut in real terms from 2012 to 2019;
- Tax credit restrictions to save around £3 billion a year;
- Tax credits to be withdrawn once earnings are above £3,850; saving around £3.4 billion; around 3 million families lose an average £1,000 per year;
- Benefit Cap changes saving around £200m; and
- Removal of Housing Benefit for 18-21 year olds; £40m.

2.11 Scotland Bill 2015

2.11.1 The Scotland Bill 2015 was introduced in the House of Commons on the 28 May 2015 and aims to implement the Smith Commission agreement; Royal Assent is expected early 2016. The Bill includes increased responsibility of welfare policy and delivery in Scotland through the devolution of welfare powers to the Scottish Parliament and / or Scottish Ministers. The Scottish Parliament will determine how the devolved powers will be used and financed.

2.12 North Ayrshire Foodbank Community Shop

2.12.1 North Ayrshire Foodbank is considering establishing a “Community Shop” (CS) in North Ayrshire that sources food from retailers that is surplus to requirements and to provide this at a discounted price to local people.

2.12.2 The Foodbank has received Council funding of £6,000 from Community and Culture to help develop its business plan and this is expected around September 2015.

2.12.3 The current thinking for the CS is as follows:

- The CS will complement and not replace the Foodbank but it is expected to reduce the number of referrals and meals provided;
- The CS will have charitable status and be run by volunteers; there may be an opportunity for the Council to establish links to training and employability programmes and modern apprenticeships;
- The CS will be open to all local people but customers on low income will receive a higher discount provided they meet defined eligibility criteria for example benefits in payment;
- The location of the CS is undecided but may consist of a central hub and a mobile “pop-up shop” that can be quickly erected across all local areas throughout North Ayrshire; this may have license implications;
- The CS would provide more than food and may include other products for example arts and crafts; and make referrals to other organisations or services for example Employment Hub;
- The CS may forge links with FareShare’s current supply chain and other local retailers to source food. FoodShare has 20 year experience working with the Food Industry and currently sources food that is in date but is not required due to over-production, labelling or short shelf life.

2.12.4 The supporting role of the Council cannot be fully defined until the business plan is in place.

3. Proposals

3.1 That the Cabinet endorses (i) welfare reform activity in 2015/16; (ii) the progress made against the welfare reform action plan as set out at Appendix 1; and (iii) notes the welfare reforms to be implemented from 2016 onwards.

4. Implications

Financial Implications

- 4.1 The UK Government welfare reforms to be implemented from April 2016 onwards may have a financial implication for the Council but this will not be known until more information about their impact at a local level is known.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 The action plan will ensure that the Council complies with the Welfare Reform Act 2012.

Equality Implications

- 4.4 None

Environmental and Sustainability Implications

- 4.5 None

Implications for Key Priorities

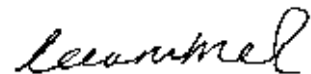
- 4.6 None

5. Consultations

- 5.1 There have been no consultations in preparation of this report.

6. Conclusion

- 6.1 Many of the reforms contained in the Welfare Reform Act 2012 have been implemented excluding the full roll-out of Universal Credit by the DWP and Personal Independence Payment. The recent £12bn welfare reforms announced by the UK Government will impact on residents of North Ayrshire and once more detail is known, the Council's Welfare Reform Working Group will update the Council's welfare reform action plan to minimise the impact on vulnerable individuals and families. The Scotland Bill 2015 will provide the Scottish Government with devolved welfare powers and the Council will respond to any requests from the Scottish Government on the use of these new powers and identify any opportunities for further devolution at a local level.



LAURA FRIEL

Executive Director (Finance and Corporate Support)

Reference : SH

For further information please contact Stephen Humphries Senior Manager Revenues and Benefits on 01294 310106.

Background Papers

Welfare Reform Action Plan 2015-16
Scotland Bill 2015

The Welfare Reform Act 2012 contains reforms that impact on North Ayrshire residents, affects the delivery of Council Services and strategies and requires effective partnership working across the local community. This plan details the action the Council will take from 2014 to 2017 to implement the reforms and to mitigate their impact.

Priority	Action	Lead	Target date	Progress
Universal Credit Triage Arrangements	Develop a common Triage approach with DWP and other partners to meet the needs of customers under Universal Credit.	Marianne McManus	2014-15	Complete
	Develop partnership arrangements with other services and agencies to support tenants, manage direct payment of Universal Credit and Universal Credit application process.	Marianne McManus	2015-16	Complete

Priority	Action	Lead	Target Date	Progress
Financial Inclusion and Budgeting Skills	Review current pathways and provision of local information, money advice, financial inclusion, and advocacy services for tenants and develop links with relevant agencies to provide a referral process to meet Universal Credit requirements.	Isobel Kelly	2014-16	The Big Lottery Fund (BLF) is applying for European Funding, which along with BLF funds may provide up to £3m for North Ayrshire financial inclusion projects. There is to be a single contract that must be tendered for; to deliver a range of new products and services to the most deprived communities. There must be a strategic approach and a strong third sector involvement in the application and delivery process. North Ayrshire Council hopes close collaboration between local authority, third and voluntary sector will lead to a successful bid.

Digital Inclusion	Identify the current digital and customer support capabilities of the Council, Jobcentre Plus and partner organisations and potential for growth under Universal Credit.	Rhona Arthur	2014 to 2017	Complete
	Raise awareness of internet access and forms, training opportunities and support for all council, housing association and private tenants.	Kirsty Sweeney	2014 to 2017	<p>Welfare Reform Team promoting the on-line Housing Benefit form. This is being promoted to the wider community in the summer newsletter and on Facebook.</p> <p>Information being gathered by Welfare Reform Team regarding tenants' on-line access and digital skills as part of tenant profiling questionnaire.</p> <p>Digital Access Leaflet available in all NAC/RSL housing offices. Promotion scheduled on Facebook.</p> <p>Planning to run basic IT skills training with partner agencies.</p>

Priority	Action	Lead	Target date	Progress
Employability & increasing local employment	Consider Rocket Science Limited research findings into Council employability schemes for claimants furthest away from the job market; and action any recommendations.	Angus O'Henley	2014 to 2016	CEIS contacted 99 households who are most affected by welfare reforms and 19 action plans developed. Further contact to be made with 81 households.
DWP Claimant Commitment	Develop partnership arrangements with DWP to support people to meet new claimant commitment and to mitigate against sanctions.	Cat Hester	2014-15	<p>The courses ran from April 2015 to June 2015 include:</p> <p>6 Job Support Programmes in Garnock Valley Area;</p> <p>9 Computing Related WORK Support Programmes in the 3 Towns Area;</p> <p>7 Computing Related Work Support Programmes in the Irvine Area; Supported by direct referrals from DWP Staff</p> <p>NAC Staff Attending DWP centres to provide NAC service updates;</p> <p>DWP are providing daily updates on Live Jobs to the Stevenston Hub;</p> <p>DWP have offered further Universal Credit updates;</p>

Priority	Action	Lead	Target date	Progress
Universal Credit and Local Support Services Framework	Evaluate the Universal Credit pilots and direct payment sites to identify good practice and identify any risks associated with the implementation of Universal Credit for tenants.	Ailie Craine	2014 to 2016	Complete
	Work in partnership with DWP and Community Planning Partners to deliver the Delivery Partnership Agreement; and manage the migration of the Housing Benefit caseload to the DWP.	Stephen Humphries	2014 to 2017	Universal Credit Delivery Partnership Agreement with the DWP in place. Monthly meetings held with DWP and partners regarding the implementation of Universal Credit.
	Review the cost and budget implications direct payment will have on Housing Services Policies and Strategies.	Janeine Barrett	2015 to 2017	Universal Credit commenced 27 April 2015 for single working age claimants; too early to assess the impact of direct payment on Housing Services.

Priority	Action	Lead	Target Date	Progress
Spare Room Subsidy	Provide advice, assistance and support to tenants affected by under occupation; including DHP, property reclassifications and future accommodation demands.	Kirsty Sweeney	2014-16	1,753 tenants are currently affected by the under occupation charge. The Scottish Government will provide funding to fully mitigate this charge for 2015/2016. Housing Services Welfare Reform Advice Team are actively assisting tenants to apply for DHP where required.
Personal Independence Payment (PIP)	Review the referral pathways and training requirements with partners to support customers claim PIP.	Isobel Kelly	2014-15	The DWP has announced that the transfer of all DLA current claims into PIP will commence in July 2015 and end late 2017. The transfer date for North Ayrshire awards is not known.
Pay day lending	Conduct review of pay day lending and action recommendations that arise from the Council short life working group.	Stephen Humphries	2014 to 2017	Complete

Priority	Action	Lead	Target Date	Progress
Scottish Welfare Fund	Manage the cash limited Scottish Welfare Fund and maximise take up.	Linda Walker	2014 to 2017	Complete This is now business as usual.
Single Fraud Investigation Service (SFIS)	Manage the migration of benefits investigation workload and staff to SFIS; and review service and funding implications.	Stephen Humphries	2014 to 2016	Complete
Food banks	Carry out research into the growth of food banks in the local community; and deliver an alternative approach to food banks.	Stephen Humphries	2014 to 2017	North Ayrshire Foodbank is looking to introduce a Community Shop in North Ayrshire as an alternative to the Foodbank. A business case is being devised by North Ayrshire Foodbank and this is expected around September 2015. The welfare reform working group continues to engage with North Ayrshire Foodbank regarding the plans.

Overarching Issues				
Priority	Action	Lead	Target Date	Progress
Training Strategy	Identify all current and future training requirements in relation to welfare reforms, and procure training as required.	Laura Cook	2014-16	Universal Credit training provided to all relevant Council staff. Further training will be provided as new reforms are implemented.
Consultation and surveys	Respond to all consultation papers and surveys regarding Welfare Reform.	Welfare Reform Working Group	As required	Consultation on Scotland Bill 2015 will be submitted to the Scottish Government by 21 August 2015.
Council's Charging Policy	Review of the Council's charging policy as a result of Welfare Reforms for example ESA/IB and SDA migration.	Isobel Kelly	2014-17	The review of the Council's charging policy is ongoing; there is more reliance on the annual COSLA guidance and the charging thresholds to be applied.
Performance Indicators	Continue to collate and evaluate baseline indicator data to monitor trends and changes in demand for services.	Ailie Craine	2014 - ongoing	Baseline indicators continue to be collated.

Overarching Issues				
Priority	Action	Lead	Target Date	Progress
Communication Strategy	Develop a Communication Plan for welfare reform including the use of Facebook, Twitter and website.	Claire Duncan	2014 - 2017	<p>Communication plan for Universal Credit complete.</p> <p>Further communication plans will be developed to respond to the new welfare reforms from April 2016.</p> <p>Regular articles included in Tenancy Matters.</p> <p>Information and signposting in relation to Universal Credit regularly posted on Housing Services Facebook page.</p> <p>The Housing Services Welfare Reform Advice Team is advertised on Irvine Beat and imminently on 3TFM.</p>

NORTH AYRSHIRE COUNCIL

Agenda Item 7

18 August 2015

Cabinet

Subject: **Award of Contract – Measured Term Contract (MTC) for Access Control Systems - Automatic Doors Servicing & Repairs**

Purpose: To advise the Cabinet of the result of the tender exercise for the MTC for Access Control Systems - Automatic Doors Servicing & Repairs and present a recommendation for the award of the contract.

Recommendation: That the Cabinet agrees to approve the award of the contract to SPIE Scotshield Ltd.

1. Introduction

- 1.1 The Council requires to put in place a new contract for Access Control Systems - Automatic Doors Servicing & Repairs with effect from 1 October 2015.
- 1.2 In order to comply with the Council's Standing Orders Relating to Contracts a formal tender exercise, due to the value, was advertised in the Official Journal of the European Union, via the Public Contracts Scotland advertising portal.
- 1.3 The duration of the contract is for three years with the option to extend annually for a further two years.

2. Current Position

- 2.1 The Contract Notice attracted thirty two expressions of interest of which three submitted tenders.
- 2.2 The three tenders received on 18 May 2015 were evaluated against the stated evaluation criteria of most economically advantageous tender, using 70% cost and 30% quality ratio.

3. Proposals

- 3.1 It is proposed that the contract be awarded to SPIE Scotshield Ltd.

4. Implications

Financial Implications

- 4.1 The sum of £500,000 is included in the Council's General Services Revenue budget to meet contract costs. The contract price is £342,500 which represents a saving of £157,500 against the available budget.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 The tender exercise was conducted in accordance with the Council's Standing Orders Relating to Contracts.

Equality Implications

- 4.4 None

Environmental and Sustainability Implications

- 4.5 None

Implications for Key Priorities

- 4.6 This contributes to the Council Plan Core Objective 4 "Operating more efficiently and effectively".

Community Benefit Implications

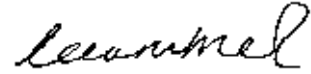
- 4.7 The contractor has agreed to provide various Community Benefits including a school project, three x five day work placements for school pupils, career talk in schools and mock interviews for school pupils.

5. Consultations

- 5.1 None

6. Conclusion

- 6.1 It is recommended that the award of the contract is made to SPIE Scotshield Ltd at a price of £342,500.



LAURA FRIEL
Executive Director (Finance and Corporate Support)

Reference : NAC/2042

For further information please contact Thomas Reaney, Procurement Manager on 01294 324097

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 8

18 August 2015

Cabinet

Subject: **Award of Contract - Measured Term Contract (MTC) for Floor Finishes**

Purpose: To advise the Cabinet of the result of the tender exercise for the renewal of the MTC for Floor Finishes and present a recommendation for the award of the contract.

Recommendation: That the Cabinet agrees to approve the award of the contract to Muirgroup Interiors Ltd.

1. Introduction

- 1.1 The Council requires to put in place a new contract for Floor Finishes (for all relevant non-housing properties) to replace the existing contract with effect from 28 September 2015.
- 1.2 In order to comply with the Council's Standing Orders Relating to Contracts a formal tender exercise, due to the value, was advertised in the Official Journal of the European Union, via the Public Contracts Scotland advertising portal.
- 1.3 The duration of the contract is for three years with the option to extend annually for up to a further two years.

2. Current Position

- 2.1 The Contract Notice attracted twenty six expressions of interest of which six submitted Tenders on 15 June 2015.
- 2.2 The six tenders received were evaluated against the stated evaluation criteria of most economically advantageous tender, using 70% cost and 30% quality ratio.

3. Proposals

- 3.1 It is proposed that the contract be awarded to Muirgroup Interiors Ltd.

4. Implications

Financial Implications

- 4.1 The sum of £500,000 is included in the Council's General Services Revenue budget to meet contract costs over 5 years. The contract price is £455,000 which represents a saving of £45,000 against the available budget.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 The tender exercise was conducted in accordance with the Council's Standing Orders Relating to Contracts.

Equality Implications

- 4.4 None

Environmental and Sustainability Implications

- 4.5 None

Implications for Key Priorities

- 4.6 This contributes to the Council Plan Core Objective 4 "Operating more efficiently and effectively".

Community Benefit Implications

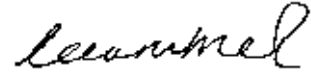
- 4.7 The contractor has agreed to provide various Community Benefits including one new entrant apprentice floor layer, one to one support to a Team North Ayrshire SME and a third Sector Organisation for tender development, a project involving local school pupils, a STEM workshop in a school in North Ayrshire, a five day work placement for a school pupil, three programmes of five career talks in North Ayrshire schools, three 15 day work placements for a school pupil and a programme of mock interviews for pupils.

5. Consultations

- 5.1 None.

6. Conclusion

- 6.1 It is recommended that the award of the contract is made to Muirgroup Interiors Ltd at a price of £455,000.



LAURA FRIEL
Executive Director (Finance and Corporate Support)

Reference : NAC2032

For further information please contact Thomas Reaney, Procurement Manager on 01294 324097

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 9

18 August 2015

Cabinet

Subject: **Community and Lifelong Learning Advisory Panel:
21 May 2015**

Purpose: To submit the minutes of the meeting of the
Community and Lifelong Learning Advisory Panel

Recommendation: That the Cabinet notes the minutes attached at
Appendix 1.

1. Introduction

- 1.1 A meeting of the Community and Lifelong Learning Advisory Panel took place on 21 May 2015.

2. Current Position

- 2.1 The key issues discussed were:

1. Irvine Vision
2. Community Empowerment (Scotland) Bill and Community
3. Neighbourhood Approach
4. Community Asset Transfer and Community Centres
5. Largs Campus
6. Library and Information Service review update
7. Employment Hub update
8. Sports Developments

3. Proposals

- 3.1 It is proposed that Cabinet notes the minutes, which are attached at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no financial implications.

Human Resource Implications

- 4.2 There are no human resource implications.

Legal Implications

- 4.3 There are no legal implications.

Equality Implications

- 4.4 There are no equality implications.

Environmental and Sustainability Implications

- 4.5 There are no environmental and sustainability implications.

Implications for Key Priorities

- 4.6 The implication for key priorities are as follows:

- Opportunities for lifelong learning have increased;
- Levels of educational attainment and achievement have improved;
- Levels of voluntary action and community involvement have increased; and
- Partnership working between the public, community and voluntary sector has improved.

5. Consultations

- 5.1 There are none required.

6. Conclusion

- 6.1 That Cabinet notes the minutes.



KAREN YEOMANS
Executive Director (Economy and Communities)

Reference :

For further information please contact Audrey Sutton, Head of Connected Communities on (01294) 324414.

Background Papers

0

Community and Lifelong Learning Advisory Panel
Thursday 21 May 2015 at 9.30am
Committee Room 1

At a meeting of the Community and Lifelong Learning Advisory Panel of North Ayrshire Council held on Thursday 21 May 2015 at 9.30am in Council Chambers, Cunninghame House, Irvine

Members Present:

Councillor Alan Hill (Chair)
 Councillor John Bruce
 Councillor Robert Steel
 Councillor Alex Gallagher
 Councillor Jean Highgate
 Councillor Joe Cullinane
 Councillor John Bell

In Attendance:

Audrey Sutton, Head of Service, Connected Communities
 Rhona Arthur, Senior Manager, Information & Culture
 John McKnight, Senior Manager, Community Developments
 John Butcher, Executive Director, Education & Youth Employment
 George Hunter, Town Centre Manager

Apologies for Absence:

Councillor William Gibson
 Councillor Peter McNamara
 Councillor Ronnie McNicol
 Councillor Tom Marshall
 Councillor Irene Oldfather
 Councillor Joan Sturgeon

1. Welcome

Councillor Alan Hill welcomed everyone to the meeting.

2. Irvine Vision

GH gave a presentation on Irvine Vision. (Copy attached for minute purposes)

Discussion took place in relation to various aspects of the Vision, including preventative strategies in relation to litter.

The Vision was welcomed by the Panel.

3. Community Empowerment (Scotland) Bill and Community

AS provided an overview of the recent updates to the draft Bill as it passes through the Scottish Parliament. Items of particular note include further amendments to community asset transfer, participation requests, Community Planning and allotments.

4. Neighbourhood Approach

Discussion took place on the process of engaging with communities through neighbourhood workshops.

AS explained that these have not been public meetings but were for invited representatives of community organisations. Wider engagement will follow at the next stage of the process.

5. Community Asset Transfer and Community Centres

Discussion took place in relation to the current list of applicants and the increased emphasis on community empowerment and asset transfer which will be created by the Community Empowerment Bill.

6. Largs Campus

JB updated the panel on progress in relation to Largs campus.

Education and Youth Employment are continuing to work with all partners to make good progress.

7. Library and Information Service review update

RA provided the panel with an update on North Ayrshire Libraries and emphasised the engagement and consultation which would take place in communities to ensure that the necessary revision of library opening hours subsequent to the budget decision would reflect the needs of communities as far as possible.

8. Employment Hub update

First phase of the introduction of Employment Hubs will open in Stevenston Library in June 2015.

Two other locations are likely to be Irvine and the Garnock Valley Area.

The Panel will be updated at the next meeting.

9. Sports Developments

JMc provided the panel with an update on Sports Developments, including the Schools of Sports developments and the flourishing Legacy of 2014.

10. AOCB

None.

NORTH Ayrshire Council

Agenda Item 10

18 August 2015

Cabinet

Subject: **South West Hub Territory Partnering Board held on 28 May 2015**

Purpose: To submit the minutes of the meeting of the South West Hub Territory Partnering Board held on 28 May 2015

Recommendation: That the Cabinet agrees to note the Minutes attached at Appendix 1

1. Introduction

- 1.1 South West Hub is a partnership vehicle through which the Council can procure its capital projects.

2. Current Position

- 2.1 The South West Hub Territory Partnering Board (TPB) comprises of representatives from each of the constituent public bodies. The Board meets regularly to consider appropriate strategic issues and also review the pipeline of work available to Hub.
- 2.2 The minute of the most recent meeting on 28 May 2015 is attached at Appendix 1.

3. Proposals

- 3.1 That the Cabinet agrees to note the Minute attached at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no financial implications.

Human Resource Implications

- 4.2 There are no human resource implications.

Legal Implications

- 4.3 There are no legal implications.

Equality Implications

- 4.4 There are no equality implications.

Environmental and Sustainability Implications

- 4.5 There are no environmental implications.

Implications for Key Priorities

- 4.6 There are no implications.

5. Consultations

- 5.1 No consultations were required in the preparation of this report.

6. Conclusion

- 6.1 The attached Minute is submitted for information.



CRAIG HATTON
Executive Director (Place)

Reference : YB/RH

For further information please contact Yvonne Baulk, Head of Physical Environment on 01294 324542

Background Papers

None

Minutes of Meeting of the hubSW Territory Partnering Board (TPB)
 28th May 2015,
Board Room, 2 Cockburn Place, Irvine, KA11 5DA (Irvine Bay Regeneration)

Attendees

Name	Organisation	Initials
Gordon Shirreff	Scottish Futures Trust	GS
Laurence Cree	North Ayrshire Council	LC
Bill Martin	South West hub	BM
Derek Craig	South Lanarkshire Council	DC
Donald Gillies	South Ayrshire Council	DG
Claire Renton	Dumfries and Galloway Council	CR
John Paterson	NHS Lanarkshire	JP
Andrew Kennedy	East Ayrshire Council	AK
Alastair Kidd	East Ayrshire Council	AKidd
Mary Anne Robb(Chair)	North Lanarkshire Council	MAR
Michael McBrearty	South West hub	MMcB
Ian Bryden	NHS Dumfries & Galloway	IB
Robin McNaught	State Hospital	RMcN

Apologies Received

Name	Organisation
Alan McHardy	Police Scotland
John Wright	NHS Ayrshire and Arran
Yvonne Baulk	North Ayrshire Council
Arthur Watson	Irvine Regeneration Company

1. Welcome & Presentation

MAR welcomed those in attendance and listed apologies received. A short presentation was then given by Gordon Hunter (SWhub Supply Chain Manager) on the progress achieved in local skills development (skills academy) and development of the local supply chain (supply chain institute). A short discussion then followed.

The TPB recognised the progress achieved.

2. Previous Minutes 26th March 2015 / Matters Arising

The minutes were approved as an accurate record of events.

Matters Arising

- Business Plan has now been issued
- TPB Meeting Schedule issued
- Working Capital Update on agenda
- Annual Performance Report agreement on agenda

No outstanding actions from previous meetings exist

3. Participant Representative Update

The list of current Participant Representatives circulated was agreed as accurate. Andrew Kennedy confirmed that he would be the EAC representative going forward.

In event that Yvonne Baulk(NAC) could not attend then LC would represent NAC unless BM is advised otherwise.

It is a requirement of the TPA that hubco are advised of any change in representatives and therefore members are asked to notify BM of any substitute representatives who may be attending.

It was confirmed that 5 participant representatives are required for meetings to be quorate.

4. SWhub Report / Business Plan

MMB provided a summary of project progress and achievements in the period.

BM informed members that it is a responsibility of the TPB to monitor working capital utilisation. Working capital is used to fund hubco operational costs (ie non project specific costs) and public sector participants contributed £300k to support mobilisation (this is due to be refunded after 5 years ie Nov 18).

BM queried the increase in operational costs from £278k (tender) to the current annual amount of circa £480k. It was agreed that a breakdown would be circulated to members.

BM

5. Supply Chain Refresh (Tier 1)

This was discussed in detail at the last TPB meeting. However hub requested that a paper requesting a delay in the required refresh date of November 2015 be considered further.

It was agreed that an extension until June 2016 would be allowed. (Note : the Supply Chain Refresh is required to be completed and implemented by 1st June 2016).

The extension is on the condition that a detailed process and timeline is approved by the TPB at their August 2015 meeting.

MMcB to prepare

MMcB

6. AOCB

Performance Review (Oct 2013 – Dec 2014)

For the purposes of the minute the hubco Annual Performance Report was approved. The vast majority of KPI's passed the Track Record Test Criteria. However the following were noted :

KPI 6.3 (Participant Satisfaction with hubco) incurred a Significant Performance Failure. The TPA requires that hubco present an Improvement Plan to address any issues/concerns. Hubco to prepare.

MMcB

KPI 5.1 (Design Quality) incurred a Track Record Test failure as a result of quality assessments not being carried out as per the KPI method statement. The requirement for DQI assessments in education projects to be discussed with participants.

KPI 11.2 (Participant Satisfaction with hubco delivery of Strategic Support Services) incurred a Continuous Improvement failure as a result of surveys not being issued.

The following KPI's were identified as being amber in that they were not yet contractually active but current measures indicate concern :

KPI 3.1(a to d) which measure achievement of development period milestones (ie Stage 1 and Stage 2 submissions)

KPI 9.1 which measures success in achieving at completion the

BREEAM score predicted at Stage 2.

KPI 9.3 which measures EPC rating achievement at completion.

It was agreed that KPI's would be discussed at the next meeting and BM would prepare a high level summary of their requirements, measurement and reporting requirements.

BM

The targets for the next Performance period 1/1/2015 to 31/3/16 are to be agreed with hub as a matter of urgency. BM would progress on behalf of members. However input from colleagues would be welcomed with an open invite to any who wish to take part in the discussions.

BM

Next Meeting

All

27th August 2015, Board Room, SWhub Offices, Willow House, Strathclyde Business Park, Bellshill, ML4 3PB

NORTH AYRSHIRE COUNCIL

Agenda Item 11

18 August 2015

Cabinet

Subject: **Physical Environment Advisory Panel held on 1 June 2015**

Purpose: To submit the minute of the Physical Environment Advisory Panel held on 1 June 2015.

Recommendation: That Cabinet note the minute attached at Appendix 1.

1. Introduction

- 1.1 The Physical Environment Advisory Panel is one of two Advisory Panels within the Council.

2. Current Position

- 2.1 A meeting of the Physical Environment Advisory Panel was held on 1st June 2015. At it's meeting the Panel were provides with updates in respect of:
- Private Sector Property Condition Improvement Strategy;
 - War Memorials Condition Report and Programme of Works; and
 - Major Projects Update.

3. Proposals

- 3.1 The Cabinet is invited to note the minutes attached at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no financial implications.

Human Resource Implications

- 4.2 There are no human resource implications.

Legal Implications

- 4.3 There are no legal implications.

Equality Implications

- 4.4 There are no equality implications.

Environmental and Sustainability Implications

- 4.5 There are no environmental and sustainability implications.

Implications for Key Priorities

- 4.6 None.

5. Consultations

- 5.1 No consultations have been undertaken in the formation of this report.

6. Conclusion

- 6.1 The attached minutes are submitted for information.



CRAIG HATTON
Executive Director (Place)

Reference : CH/LB

For further information please contact Craig Hatton, Executive Director
(Place) on 01294 324312

Background Papers

None

At a meeting of the Physical Environment Advisory Panel of North Ayrshire Council held on 1st June 2015 at 2.00pm in The Council Chambers, Cunninghame House, Irvine.

Members Present:

Councillors Ian Clarkson, Anthea Dickson, John Easdale, John Ferguson, John Hunter, Elizabeth McLardy, Donald Reid

In Attendance:

Craig Hatton, Executive Director (Place), Yvonne Baulk, Head of Physical Environment, Trudi Fitzsimmons, Divisional Manager (Housing HQ), Jim Johnstone, Interim Streetscene Strategy Manager, David Tate, Senior Manager, Property Management & Investment, Loraine Barr, PA to Executive Director (Place)

Chair

Councillor Anthony Gurney

Apologies for Absence:

Councillors Marie Burns, Ruth Maguire, Tom Marshall

1. Minute of Previous Meeting (21st April 2015)

Minute agreed as a true and accurate record of the meeting.

2. Action Note Update

The Panel were updated on actions arising from previous meeting on 21st April 2015.

3. Private Sector Property Condition Improvement Strategy

Submitted report by Trudi Fitzsimmons, Divisional Manager, (Housing Headquarters) to seek the Panel's views in respect of the draft Private Sector Property Condition Improvement Survey.

Members asked questions and received further information on the following:-

Councillor Easdale asked who should be the first point of contact for any complaints in relation to a property. T Fitzsimmons confirmed that contact should be made with the Private Sector Team.

Council McLardy asked if an empty building would be picked up under the Empty Homes Strategy. T Fitzsimmons noted that where a referral was received regarding an empty home, possible interventions would be explored in line with the Empty

Homes Strategy. Where it could be evidenced that an empty property was having a significantly detrimental impact on the surrounding neighbourhood, a multi-departmental 'exceptional cases' working group meeting would be held, to explore a corporate solution to the situation.

Members asked how tolerable standards were assessed and how big was the gap in relation to those properties not within standard. T Fitzsimmons advised that a visit would be made to the property and assessed against criteria required and thereafter work with the owner to ensure the property was brought to a tolerable standard. T Fitzsimmons advised that she would forward figures in terms of interventions following today's meeting.

Councillor Easdale referred to Para 1.2 where it refers that the Council have a statutory duty to improve property condition in the private sector, and asked what can be done if guidance is ignored. T Fitzsimmons advised that if properties are below tolerable standard then Private Landlords can be referred to colleagues in Licensing or PMI for a Demolition Order to be issued. Support is also provided through the Private Sector Advice Line.

Council Hunter noted that there are a number of properties in a state of dereliction, and the Council do not seem to be doing anything around this. T Fitzsimmons advised that the difficulty with these is that they belong to someone else, and there are no resources available that the Council may use to intervene to repair the asset of a third party. C Hatton asked Councillor Hunter to provide details of those particular derelict properties to which he referred to enable a more detailed response to be given.

Discussion took place surrounding the interventions available to those properties below tolerable standards. C Hatton asked for the Panel to provide a note of any properties that raise concern.

The Panel noted the report.

4. War Memorials Condition Report and Programme of Works

Submitted report by J Johnstone, Interim Streetscene Strategy Manager to update the Panel and seek views in respect of the War Memorials Condition Report and programme of works.

Members asked questions and received further information on the following:-

Councillor McLardy asked if the railings at the War Memorial in West Kilbride would be replaced. J Johnstone confirmed that the railings will be replaced.

Councillor Dickson asked if there is any other funding available i.e. historical fund to help with the restoration programme. J Johnstone advised that funding was only sought so far from the Centenary Memorials Restoration Fund which in appropriate cases can fund up to 75% of eligible restoration costs.

Councillor Clarkson asked if works on the War Memorial located at High Street, Irvine would be done to improve the condition before its put back in place. Y Baulk advised that the memorial would be cleaned and restored before being installed at its new location.

Councillor Hunter advised that he was not aware of the Obelisk at Castlehill, Ardrossan, being a War Memorial. J Johnstone confirmed that the Obelisk is the memorial column.

Discussion took place surrounding the programme of works for the Garden of Remembrance, Glasgow Street, Ardrossan. J Johnstone advised that he would look into this and confirm following today's meeting.

Councillor Easdale referred to para 2.3 of the report and asked who was responsible for over-vigorous cleaning of the stonework and would there be any claim we could make. J Johnstone advised that this was historic information and it was unlikely after this time that a claim could be made.

The Panel noted the findings of the survey and the next steps in undertaking works required to the memorials.

5. Major Projects Update

Submitted report by David Tate, Senior Manager (Property Management & Investment) to update the Panel in respect of major projects being undertaken.

Members asked questions and received further information on the following:-

Replacement Sheltered Housing Unit, Vennel Gardens, Irvine

Councillor Clarkson asked if there was any update on the one-way system at Kiln Court. C Hatton noted that the suggestion to create a one-way road in this part of East Road has been considered previously and was not recommended at that time as the street is wide enough for two way traffic. Illegal parking in Kiln Walk can create difficulties for two way movement, despite the fact that there is an order in place to control parking. It is intended to have the existing yellow lines refreshed and also to request Police Scotland to provide some enforcement activity at this location.

Dickson Drive/Dickson Way Regeneration, Irvine

Councillor Clarkson requested that something is done with the large container located at the rear of the property. D Tate confirmed down-topping has now been undertaken and he will progress this.

Fencedyke Housing Development, Irvine

Councillor Easdale asked when a contractor will be appointed. D Tate advised that a contractor will be appointed in the autumn.

Cunninghame House Refurbishment, Irvine

Councillor Reid asked if provision has been made for cyclists. D Tate confirmed that cycle use has been promoted with staff and bike racks have been installed. Councillor Reid further noted that there is no adequate provision for cycles to be secure and areas for cyclists to dry off etc. and that the previous area had outgrown itself. D Tate will discuss with Y Baulk.

Councillor Reid asked if there is a subsidised cycle scheme available for employees. C Hatton confirmed that HR has such a scheme available for any staff who wish to make use of this. C Hatton further advised that a Sustainable Travel Plan is currently being developed and cycles would be included within this.

Councillor Reid advised that if there was a suitable and secure facility available then hopefully this would encourage more people to cycle to work.

C Hatton advised that he take the issues forward.

Saltcoats Town Hall

Councillor Reid asked for an update in relation to bookings etc. Y Baulk advised that the bookings sit within A Sutton's Team.

Councillor Reid asked what provision is being made in relation to public toilets within the Town Hall. Y Baulk advised that members of the public will be able to use the toilets on the ground floor.

Leisure Centre & Townhouse, Irvine

Councillor Clarkson asked if the Council is in negotiation with the owners of the former Docherty's in relation to the car park. D Tate confirmed that he was not aware of any such discussions.

Councillor Hunter raised a question in relation to blacklisted contractors. Y Baulk advised that she was not aware of any issues. The Chair advised that the Scottish Government listed procurement guidance concerning the exclusion from public contracts of companies which engage in blacklisting, as discussed at an earlier meeting of the Panel.

The Panel noted the report.

7. AOCB

Councillor Hunter noted that he had requested at an earlier meeting of the Panel, a list of properties rented by the Council. C Hatton confirmed that a report on the current property estate will be submitted to the next meeting of the Panel.

8. Date of Next Meeting

The next meeting will take place on Monday 24th August 2015 at 2.00pm in the Council Chambers, Cunninghame House, Irvine.

The meeting ended at 3.10pm.

NORTH AYRSHIRE COUNCIL

Agenda Item 12

18 August 2015

Cabinet

Subject: **Housing Revenue Account Business Plan
Implementation Group: 11 June 2015**

Purpose: To submit the minutes of the meeting of the Housing Revenue Account Business Plan Implementation Group held on 11 June 2015.

Recommendation: That the Cabinet notes the minutes attached at Appendix 1.

1. Introduction

- 1.1 A Housing Revenue Account Business Plan Implementation Group was set up in 2010 and consists of Elected Members, tenant representatives and officers from Housing Services, Finance and Property Management and Investment.
- 1.2 The remit of the Housing Revenue Account Implementation Group is:
- To make recommendations to the Council's Cabinet and other bodies as appropriate;
 - To carry out an annual review and report progress on the Business Plan;
 - To assume responsibility for performance monitoring and reporting;
 - To advise and provide recommendation on the setting and use of budgets and resources;
 - To ensure the appropriate consultation is undertaken at key stages; and
 - To agree and drive forward any key priorities identified in relation to the Housing Revenue Account.

2. Current Position

- 2.1 The minutes of the meeting of the Housing Revenue Account Business Plan Implementation Group held on 11 June 2015 are attached at Appendix 1.

3. Proposals

- 3.1 It is proposed that the Cabinet notes the minutes attached at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no implications arising from this report.

Human Resource Implications

- 4.2 There are no implications arising from this report.

Legal Implications

- 4.3 There are no implications arising from this report.

Equality Implications

- 4.4 There are no implications arising from this report.

Environmental and Sustainability Implications

- 4.5 There are no implications arising from this report.

Implications for Key Priorities

- 4.6 There are no implications arising from this report.

5. Consultations

- 5.1 None required.

6. Conclusion

6.1 The attached minutes are submitted for information.

A handwritten signature in black ink, appearing to be 'CH', written over a horizontal line.

CRAIG HATTON
Executive Director (Place)


Reference :

For further information please contact Yvonne Baulk, Head of Physical Environment on 01294 324542

Background Papers

None

Appendix 1

 North Ayrshire Council Combining Resources for a Better Future	STATUS REPORT	
	Business Plan Implementation Group	

Date: 11th June 2015

Venue: Council Chambers, Cunninghame House, Irvine

Attendees:	Councillor I Clarkson Councillor A Dickson Councillor J Easdale Councillor A Gurney Councillor C McMillan Alison Diamond Trudi Fitzsimmons Carolyn Hope Marianne McManus Tracey Wilson Natalie Ainslie Alex Younger Ian Cathcart Alan Dunsmore	Elected Member Elected Member Elected Member Elected Member (Chair) Elected Member Property Management & Investment Housing Services Housing Services Housing Services Housing Services Financial Management Tenant Representative Property Management & Investment Financial Management
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Apologies:	Councillor J Ferguson Councillor R McNicol Councillor J Hunter Councillor T Marshall Yvonne Baulk Keith MacDonald Gordon Taylor Cate Weir	Elected Member Elected Member Elected Member Elected Member Housing Services Financial Management Tenant Representative Tenant Representative
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Minuted by: Leanne McKeeman Housing Services

Agenda Item	Notes and Actions	Who	Date
1. Welcome	Cllr Gurney opened the meeting by welcoming. Apologies were noted.		
2. Minutes of Last Meeting & Matters Arising	The minutes of the previous meeting were approved.(Appendix 1) Alison Diamond (AD) noted a few action points from previous meeting. Cllr McMillan previously queried the details of the cameras in Dalry areas. AD advised that a draft survey sheet had been accidentally included the report and noted that this had now been removed.		

Appendix 1

	<p>All of the cameras at Montgomerie Street and all sheltered housing units are in working order although they are old systems which will be getting updated.</p> <p>Cllr Easdale asked how often the cameras are checked. AD advised that they are serviced annually and the cameras record and clear automatically every 20 days.</p> <p>AD also brought drawings of locations of the cameras which will be distributed as appropriate.</p> <p>AD noted the wireless network links are now up and running. A specialist contractor has identified some issues with the equipment, however work has started to resolve them.</p>		
3. 2014/15 Outturn Report	<p>Alan Dunsmore (AD) delivered a presentation on 2014/15 outturn report.</p> <p>Cllr Clarkson queried the void costs which seem to be higher than expected. Carolyn Hope (CH) advised there has been an increase in both the number of void properties and void costs. Void costs have increased over the last two years.</p> <p>CH advised that all revenue repairs, including voids, were under review to ensure value for money is demonstrated and costs are transparent. CH also advised that previous research has shown that Welfare Reform was a factor in the increase in empty properties; however it was not wholly attributable.</p> <p>CH advised that the John Galt underspend will be invested in future builds and/or developments.</p> <p>Cllr Easdale enquired about the £1.5million earmarked in-year surplus. A. Dunsmore advised that this would be carried forward into 2015/16 to complete committed projects.</p>		
4. Annual Return on the Charter	<p>Marianne McManus (MM) firstly congratulated Tracey Wilson (TW) on recently being awarded Tenant Participation Champion Award.</p> <p>MM delivered a presentation on the Annual Return on the Charter. MM went on to explain the recent performance on a few of the indicators.</p> <p>Cllr Easdale questioned the drop in the number of properties from 2014 to 2015. It was advised that it depends when these figures were collated as there are ongoing redevelopments. There has also been a spike in the number of applications for the 'Right to Buy Scheme' which will be abolished in July 2016.</p> <p>Cllr Dickson questioned why only some indicators were shown. MM advised that the indicators shown had been agreed with the North Ayrshire Network. The full suite of indicators can be viewed online.</p> <p>Cllr Dickson questioned the rent collected and rent arrears figures. MM</p>		

Appendix 1

	<p>advised that the arrears are carried over from the previous year whereas rent collected is for the current year only.</p> <p>Cllr Clarkson queried the average rent for 2014 being more for a 4 apartment and less for a 5 apartment. MM to verify.</p> <p>Cllr Clarkson advised indicator 23 was worrying that the average is 119.8 days to complete approved applications for medical adaptations. People could be waiting in hospital and unable to come home until these adaptations are put in place. Trudi Fitzsimmons (TF) advised that work is continuing on this process although the integration of Health & Social Care is causing some delays in the review. It was confirmed that delays in the process were not related to the budget allocation.</p>	MM	
5. Rent Arrears Working Group	<p>MM delivered a presentation on the Rent Arrears Working Group explaining the progress of this group. MM advised of changes which had been implemented via the group as well as the work involving the Welfare Reform Advice Team.</p> <p>Cllr Easdale questioned if the relevant information would be published in Tenancy Matters. MM advised that welfare reform advice and information is included within Tenancy Matters.</p>		
6. Welfare Reform Update	<p>MM delivered a presentation with an update on Welfare Reform. MM advised there are communication issues with the DWP informing Housing of cases applying for Universal Credit. There are also issues with arrears as 11 out of 19 applicants were already in arrears. It is expected that other tenants will fall into arrears due to the fortnightly rent charge and tenants waiting up to 5 weeks for their benefits to be paid. Twenty one approaches seeking advice on Universal Credit including budgeting advice have been made to date.</p> <p>Cllr Clarkson queried the circumstances for requesting a direct payment for rent. MM advised that direct payment can be requested if the tenant has addictions, mental health issues, history of failed tenancies, rent arrears etc although the DWP may ask for proof regarding these issues. MM also noted we will receive payments if the tenant is more than 8 weeks in arrears.</p> <p>The Welfare Reform Advice Team are trying to identify vulnerable people that may fall into arrears when switched to Universal Credit.</p> <p>Cllr Dickson advised that the direct payments are temporary and asked about the timescales involved. MM advised that the DWP have not yet made a decision on the timescales.</p>		
7. SHQS Final Outturn	<p>Ian Cathcart (IC) delivered a presentation on SHQS Final Outturn. Over 13,000 properties had to be brought up to a certain standard by 31st March 2015. There were 40% of properties that did meet the standard which meant that 60% had to be brought up to that standard. There was approx £200Million spent getting these properties up to the correct standard.</p>		

Appendix 1

	<p>The Scottish Government realised it was nearly impossible to get 100% of properties completed for 31st March 2015 and therefore introduced abeyances. 98.20% of properties reach the appropriate standard as at 31st March 2015. The abeyances were mainly due to access issues.</p> <p>We now have until 2020 to achieve the new EESSH standards.</p> <p>Cllr Gurney asked if we could receive numbers of the properties that we cannot gain access to. IC will provide this.</p> <p>Alex Younger (AY) asked about the windows with external beading. IC advised these are getting looked at and will be replaced.</p> <p>Cllr Clarkson advised the door entry systems need to be up and running as soon as possible. IC advised he was progressing this matter.</p> <p>Cllr Clarkson asked what the money would be used for now that the SHQS had been met. IC advised that the money would be invested in the new EESSH standard and other capital programmes such as reducing lifecycles of kitchens and bathrooms.</p>	IC	
AOB			
10. Next Meeting	16 th September 2015		

NORTH AYRSHIRE COUNCIL

Agenda Item 13

18 August 2015

Cabinet

Subject: **Economic Development & Regeneration Board :
15 June 2015**

Purpose: To submit the minutes of the Meeting of the Economic Development and Regeneration Board held on 15 June 2015.

Recommendation: That the Cabinet notes the minutes attached at Appendix 1.

1. Introduction

- 1.1 The Economic Development and Regeneration Board was established in August 2010 and consists of key stakeholders and agencies including representatives from the private sector business.

2. Current Position

- 2.1 The Economic Development and Regeneration Board met on 15 June 2015.

3. Proposals

- 3.1 The Cabinet is invited to note the Minutes attached at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no financial implications arising from this report.

Human Resource Implications

- 4.2 There are no human resource implications arising from this report.

Legal Implications

- 4.3 There are no legal implications arising from this report.

Equality Implications

- 4.4 There are no equality implications arising from this report.

Environmental and Sustainability Implications

- 4.5 There are no environmental or sustainability implications arising from this report.

Implications for Key Priorities

- 4.6 There are no implications for key priorities from this report.

5. Consultations

- 5.1 No consultation was undertaken in the production of this report.

6. Conclusion

- 6.1 The attached Draft Minutes are submitted for information.



KAREN YEOMANS
Executive Director (Economy and Communities)

Reference : KY/AB

For further information please contact Karen Yeomans, Executive Director (Economy and Communities) on 01294 324030.

Background Papers

None

Meeting:	Economic Development & Regeneration Board
Date/Venue:	Wednesday 15th June 10am. in Committee Room 1, Cunninghame House, Irvine.
Present:	Gordon McLean, UPM Caledonian (Chair) Karen Yeomans, North Ayrshire Council Councillor Marie Burns, North Ayrshire Council Councillor William Gibson, North Ayrshire Council Professor Alan McGregor, Glasgow University Malcolm Simpson, Simpslnns Limited Barbara Hastings, Third Sector Interface Gordon McGuinness, Skills Development Scotland Caitriona McAuley, North Ayrshire Council Patrick Wiggins, Irvine Bay Regeneration Company Elma Murray, North Ayrshire Council Val Russell, Ayrshire Chamber of Commerce Brian Connelly, David Hammond, North Ayrshire Council Matt Strachan, North Ayrshire Council Joe Smith, North Ayrshire Council Greig Robson, North Ayrshire Council Elisa Dunn, North Ayrshire Council Alasdair Dobson, Taste of Arran Billy Love, The Scottish Government Councillor Peter McNamara, North Ayrshire Council Caitriona Morton, Job Centre Plus
Apologies:	Jackie Galbraith, Ayrshire College Jim Reid, Scottish Enterprise
In Attendance:	Theresa Mackin (North Ayrshire Council)

ACTIONS

No.	Action	Responsible
1.	Welcome and Introductions The Chair welcomed everyone to the meeting.	Noted.
2.	Review of the Minute & Action Log The Action Note arising from the Economic Development and Regeneration Board Meeting held on 4 th March 2015 were noted and agreed.	Completion dates to be included with more specific information included against actions i.e. names etc
3.	Employability and Skills An update on Employability and Skills was provided by Caitriona McAuley. This covered: <ul style="list-style-type: none"> • Senior Manager, Skills and Employability now in post • Local Employability Partnership have met and have identified 4 key priorities which are : <ul style="list-style-type: none"> ○ Developing young workforce in collaboration with Chamber of Commerce North Ayrshire Council – Education and Youth Employment Department ○ Better understanding of training into Further Education ○ Opportunities for co-location ○ Research and Development – low pay and gender equalities. • European Social Fund has not been approved to date. This has an impact on service provision. 	

	<ul style="list-style-type: none"> • Procurement Framework going to Cabinet. • Universal Credit rolled out, monitor the impact this has in the labour market. <p>Employability Hub (Progress Update)</p> <p>An update on the Employability Hub was provided by Greig Robson.</p> <ul style="list-style-type: none"> • Hub officially opened on the 22nd June 2015. A significant amount of work has already been achieved and looking at ways of identifying if the Programme is attractive. <p>It was discussed that it will not be possible to have a hub in every locality. There are 3 hub models:</p> <ul style="list-style-type: none"> ○ Self Help – training / materials can be accessed on-line ○ Establishing a hub (similar to Stevenston) ○ True co-location – big venue with skills pipeline accessible <p>The question was raised if there are measures being put in place regarding the hub performance. It was noted that management will be monitoring progress over the next 3 months by looking at footfall, types of clients attending and what are they turning up to do. It was also noted to obtain insight from customers and receive their feedback.</p> <p>Development & Implementation of a North Ayrshire Social Enterprise Strategy</p> <p>An update on the Development and Implementation of a North Ayrshire Social Enterprise Strategy was provided by Karen Yeomans</p>	<p>Greig Robson to provide an update at the next EDR Board meeting</p> <p>Barbara Hastings to present initial findings at the next EDR Board meeting</p>
4.	<p>Chairman's Objectives and EDR Board Membership</p> <p>Gordon McLean discussed that there is a gap from the private sector in members to the EDR Board.</p> <p>It was proposed that Lorraine Stevely, Chief Executive Officer, Sercon join the Board. Board agreed.</p>	<p>Invitation to be sent to L Stevely to attend next EDR Meeting 24/8/15</p>
5.	<p>EDR Strategy Refresh</p> <p>Professor Alan McGregor facilitated the first EDR Strategy Refresh Session. It is anticipated that there will be three sessions.</p> <p>Areas covered within the Session were:</p> <p><u>Economic Role Profile Issues</u></p> <ul style="list-style-type: none"> • Population decline • Aging population • <p>Do we have a skills profile for the area:-</p> <ul style="list-style-type: none"> • Future skills needs • Replacement demand • The here and now • Opportunities and pathway for in-work progress • Low pay and in work poverty 	<p><u>North Ayrshire</u>: - The place to be. Write the vision up and send to ED&R Board.</p>

	<p><u>Scotland's Economic Strategy in North Ayrshire :</u></p> <ul style="list-style-type: none"> • Inclusive growth • Enterprise areas and opportunities to extend these? – • Cluster development for life science companies • Growth in city regions and 'place' economics • Improved partnership with government • How good is North Ayrshire Business Infrastructure <p>Third Sector - What is contribution and potential of North Ayrshire social economy. New strategy being developed to set out ambitions.</p> <p>RET (Road Equivalent Tariff) – opportunities this creates</p> <ul style="list-style-type: none"> • More mobile workforce • Business development • Increased visitors <p><u>External Factors</u></p> <ul style="list-style-type: none"> • EU referendum • Smith Commission • Impact of NI and pensions legislation on business? • New UK government - Conservative manifesto <p><u>The Vision</u> :- something distinctive on North Ayrshire it has to say something more about what North Ayrshire wants to be. Must play across all audiences.</p> <p>- need to make specific reference to the islands and lifestyle</p> <p>SMART - how do we organisationally process things - six sigma, lean - Logical approach to doing business.</p>	
6.	<p>Economic Gamechangers</p> <p>An update was provided by David Hammond on Economic Gamechangers. The presentation covered:</p> <ul style="list-style-type: none"> • Scotland's Pioneer • Scotland's Playground • SMART Ayrshire <p>It was noted that North Ayrshire are looking to engage at an International Level.</p>	
7.	<p><u>FOR INFORMATION:</u></p> <p>The following papers were submitted for the Boards information:</p> <ul style="list-style-type: none"> • March CPP Board Minutes 19th March 2015 • SOA 2014 – 15 Quarter 4 Performance • CPP Update 	
8.	<p>Date of Next Meeting</p> <p>EDR Strategy Refresh Meeting - Monday 24thAugust 2015 at 14:00hrs (Cunninghame House, Irvine)</p>	

NORTH AYRSHIRE COUNCIL

Agenda Item 14

18 August 2015

Cabinet

Subject: **Ayrshire Economic Partnership: 24 June 2015**

Purpose: To submit the Draft Minutes of the meeting of the Ayrshire Economic Partnership held on 24 June 2015.

Recommendation: That the Cabinet notes the Draft Minutes attached at Appendix 1.

1. Introduction

1.1 The Ayrshire Economic Partnership was established several years ago to promote Economic Development across Ayrshire. The approach has focused on sector development:

- Renewable Energy;
- Food and Drink;
- Engineering;
- Tourism.

2. Current Position

2.1 The Ayrshire Economic Partnership last met on 24 June 2015 and meets approximately every two months.

3. Proposals

3.1 The Cabinet is invited to note the Draft Minutes attached at Appendix 1.

4. Implications

Financial Implications

4.1 There are no financial implications arising from this report.

Human Resource Implications

4.2 There are no human resource implications arising from this report.

Legal Implications

- 4.3 There are no legal implications arising from this report.

Equality Implications

- 4.4 There are no equality implications arising from this report.

Environmental and Sustainability Implications

- 4.5 There are no environmental and sustainability implications arising from this report.

Implications for Key Priorities

- 4.6 There are no implications for key priorities arising from this report.

5. Consultations

- 5.1 No consultation was undertaken in the production of this report.

6. Conclusion

- 6.1 The attached Draft Minutes are submitted for information.



KAREN YEOMANS
Executive Director (Economy and Communities)

Reference : KY/AB

For further information please contact Karen Yeomans, Executive Director (Economy and Communities) on 01294 324030.

Background Papers

None



At a meeting of the Ayrshire Economic Partnership on **Wednesday 24 June 2015** at **5.00 p.m.**, North Ayrshire Council, Cunninghame House, Irvine, KA12 8EE

Present:	Lesley Bloomer (South Ayrshire Council) Councillor Bill McIntosh (South Ayrshire Council) Karen Yeomans (North Ayrshire Council) Chris McAleavey (East Ayrshire Council) Ros Halley (Ayrshire & Arran Tourism Manager) Councillor Marie Burns (North Ayrshire Council) Jim Reid (Scottish Enterprise) David Hammond, North Ayrshire Council Eileen Howat (South Ayrshire Council) Mark Hastings (South Ayrshire Council) Val Russell (Ayrshire Chamber of Commerce) Councillor Douglas Reid (East Ayrshire Council) Elma Murray (North Ayrshire Council) Willie Mackie (Taste of Ayrshire) Wai-Yin Hatton (Ayrshire Chamber of Commerce) Heather Dunk (Ayrshire College) Gordon McGuinness (Skills Development Scotland) Hisashi Kuboyama, (Federation of Small Businesses) Sharon Hodgson (East Ayrshire Council) Alex McPhee (East Ayrshire Council) Michael Kean (East Ayrshire Council) Laura Cook (North Ayrshire Council, Shadowing)	
Apologies:	Bill Costley (Private Sector) Councillor Willie Gibson (North Ayrshire Council) Jackie Galbraith (Vice Principal of Strategy, Planning & Performance) Theresa Correia Scottish Enterprise Councillor Jim Buchanan (East Ayrshire Council) Fiona Lees (East Ayrshire Council) Caitriona Mcauley (North Ayrshire Council) Jill Cronin South Ayrshire Council Ada Galloway (Ivano Solutions)	
In Attendance:	Theresa Mackin (North Ayrshire Council)	
ACTIONS AGREED		
	Action Required	Responsible
1.	<u>Welcome and Apologies</u> Everyone was welcomed to the meeting and apologies were noted.	
2.	<u>Actions from Previous Meeting:</u> The Action Notes arising from the AEP meeting held on 11 March 2015 were noted and agreed.	

3.	<p>Ayrshire Gamechangers</p> <p>Michael Kean presented the Ayrshire Gamechangers paper. It was noted that various issues have been summarised in the briefing paper and that it needs to be a strategy led approach. The overarching point that has emerged is the requirement to contribute to the wider economy of Scotland and articulate this opportunity as well as addressing inequality in regions. It was noted that it should be a two pronged approach. The timing is good as Scottish Government is currently discussing accelerating growth. This is not only a public sector initiative and presents private and public working together.</p> <p>Another key element of the paper being put forward is the question of scale. It is important to present a proposition to Government which emphasises that this is worthwhile and that it is of a significant scale.</p> <p>It was noted the need to agree the level of commitment in terms of time, investment and resources from the Ayrshire Economic Partnership. It was noted that the partnership approach through the AEP provided a very good basis for taking this activity forward.</p> <p>There are some major issues around governance and how this process will be managed. It was noted that City Deal is based on delivering additional economy activity and that it is important that the Team are as clear as possible up front and should not be put off going for this opportunity.</p> <p>It was noted that regarding the strategic plan, it needs to be supported by a pipeline of projects which can be funded and delivered. The Gamechangers Paper mentions a few projects but it is not an exclusive list.</p> <p>The Gamechangers group are to meet with Scottish Government, City Team and the Finance Division to understand from Scottish Government what they are looking for from Ayrshire and what liaison would they want from us during this work.</p> <p>At this point, it is unclear how much potential there will be. It will become more apparent after the meeting in July.</p> <p>Projects to be an Ayrshire approach telling the wider story and setting the bigger context. The shortleat needs to be a coherent package for Scottish Government.</p>	<p><i>All</i></p> <p><i>SAC/NAC/EAC to lead</i></p> <p><i>SAC to provide feedback</i></p>

	<p>The private sector is really fundamental. It was noted about the potential to change the structure of the AEP in terms of attendees and the role of the group going forward.</p> <p>There is also a need to have clarity on funding. This requires additional work regarding engagement and promoting the evolving story through elected members and the council.</p> <p>Next steps is for the three Councils to prepare a Paper on Ayrshire Growth Deal to go to elected members in August / September.</p>	NAC/EAC/SAC
4.	<p>Theme Updates</p> <p>Renewables</p> <p>The contents of the Renewables paper were agreed and noted.</p> <p>There has been progress made with the Energy Forum. There has also been partnership work on circular economies</p> <p>Tourism</p> <p>The contents of the Tourism paper were agreed and noted.</p> <p>The business improvement plan report has highlighted that good progress has been made in the first 3 years.</p> <p>Engineering</p> <p>The contents of the Engineering paper were agreed and noted.</p> <p>Jim English chairs the Leadership group and has some ideas regarding recruiting more representatives. A separate support group to be established to assist with the service delivery with partners, Councils and Scottish manufacturing.</p> <p>It was noted to organise a working group with the oil and gas supply chain companies. This industry is currently undergoing a significant restructuring with a potential requirement to readjust their operating base with support agencies helping them make the necessary adjustments.</p> <p>It was noted that there is the opportunity to host an engineering event with different types of engineering companies. Looking for smaller companies to be involved.</p> <p>Food and Drink</p> <p>The contents of the Food and Drink paper were agreed and noted.</p> <p>The highlight within the paper is the appointment of a Food and</p>	<p>SAC</p> <p>SAC</p> <p>EAC</p>

	Drink Officer who is starting on Monday 6 th July.	
5.	Tourism Update Further work is required to develop the future proposals for Tourism in Ayrshire.	SAC/NAC/EAC
6.	Any Other Business UWS to attend the AEP meeting in September to present on the regional investment in young people.	NAC
7.	Date of Next Meeting The next meeting will take place on Wednesday 23 rd September at 5pm, East Ayrshire Council Headquarters, London Road, Kilmarnock.	