



Cunninghame House,
Irvine.

28 January 2016

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 2 FEBRUARY 2016** at **2.30 p.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

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 5)

The accuracy of the Minutes of the meeting held on 19 January 2016 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 Executive Director (Economy and Communities)

3. Scottish Landfill Communities Fund (Page 11)

Submit report by the Executive Director (Economy and Communities) on (a) the appointment of the Council's approved body to administer and distribute the Scottish Landfill Communities Fund (SLCF) and the application process; and (b) approval for the process of making arrangements for the Elected Member/Senior Officer composition of the North Ayrshire Council Landfill Advisory Fund Panel (copy enclosed).

Reports by the Executive Director (Finance and Corporate Support)

4. Award of Contract - Refurbishment of George Aitken Court Sheltered Housing Unit, Ardrossan (Page 17)

Submit report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the refurbishment of George Aitken Court Sheltered Housing Unit, Ardrossan (copy enclosed).

5. Urgent Items

Any other items which the Chair considers to be urgent.

Cabinet

Sederunt: **Elected Members**

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

Chair:

Attending:

Apologies:

Meeting Ended:

Cabinet
19 January 2016

IRVINE, 19 January 2016 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, John Bruce, Marie Burns, Anthea Dickson, Tony Gurney and Ruth Maguire.

Also Present

Donald Reid and Tom Marshall, Joan Sturgeon (Item 3) and Ian Clarkson (Agenda Items 3 and 4).

In Attendance

Elma Murray, Chief Executive; L. Friel, Executive Director, M. Hogg, Senior Manager (Financial Management), G. Macgregor, Head of Service (Customer, People and Corporate Support) and S. Stewart, Senior Learning and Organisational Development Adviser (Finance and Corporate Support); C. Hatton, Executive Director (Place); J. Butcher, Executive Director and F. MacKenzie, Head Teacher, Glebe Primary School (Education and Youth Employment), I. Colvin, Director (Health and Social Care Partnership), K. Yeomans, Executive Director, C. McAuley, Head of Service (Economic Growth) and A. Sutton, Head of Service (Connected Communities) (Economy and Communities); A. Fraser, Head of Democratic Services, A. Todd, Senior Policy and Performance Officer, M. Sugden, Communications Officer (Media and Internal Communications), D. McCaw, Committee Services Officer (Chief Executive's).

Also In Attendance

L. Cairns (Chief Executive), C. Glencorse (Business Manager Leisure), L. Barrie (Business Manager Physical Activity), L. Campbell, Business Manager Development and S. Morrison (Development Officer) (North Ayrshire Leisure Limited).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Alan Hill.

1. Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Burns, as a North Ayrshire Leisure Limited Board Member declared an indirect, non-pecuniary interest in Agenda Item 3.

2. Minutes

The accuracy of the Minutes of (i) the ordinary meeting of the Committee held on 8 December 2015; and (ii) the special meeting of the Committee held on 15 December 2015 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. North Ayrshire Leisure Limited (NALL) Business/Service Plan incorporating Budget 2016-17 and Progress Report, December 2015

Submitted report by the Executive Director (Economy and Communities) on the North Ayrshire Leisure Limited (NALL) Business/Service Plan, incorporating the budget for 2016-17, progress in terms of performance during the first 6 months compared to the same period last year and on the main points to note for 2016-17. The Cabinet also received a presentation by the Chief Executive of North Ayrshire Leisure Limited.

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

- whether KA Leisure membership numbers are reaching saturation point;
- measures to address the downturn in public swimming uptake at Garnock Pool as a result of the new format swimming lessons which require closure of the pool at those times; and
- the balance between Club and individual use of leisure facilities including Ravenspark Golf Course.

The Cabinet agreed to approve the NALL Progress Report on the Business/Service Plan, incorporating the budget for 2016/17, as set out in the appendix to the report.

4. Directorate Plan 2015/16 Performance Reports as at 30 September 2015

Submitted report by the Chief Executive on the performance of all Directorates as at 30 September 2015 against the priorities in the 2015/18 Directorate Plans.

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

Education and Youth Employment

- additional funding in the sum of £400,000 which has been secured through 'Schools for the Future' in relation to the Learning Academy.

Economy and Communities

- confirmation from the Scottish Government that North Ayrshire has been selected as a pilot area in connection with the Inclusive Growth agenda.

Health and Social Care Partnership

- the creation of a pan-Ayrshire Concerns Hub based at Kilmarnock Police Station.

The Cabinet agreed to (a) note the performance of all Directorates as at 30 September 2015 against the priorities in the 2015/18 Directorate Plans; and (b) refer the Directorate Plan 2015/18 Performance Reports to the Scrutiny and Petitions Committee on 27 January 2016.

5. Performance Management Update

Submitted report by the Chief Executive on progress with the Performance Management Forum (PMF) work plan under the PMF key performance areas and on the Recognised for Excellence journey.

The Cabinet agreed to (a) note progress on (i) the Performance Management forum (PMF) work plan under the PMF key performance areas; and (ii) Recognised for Excellence; and (b) refer the report to the Scrutiny and Petitions Committee on 27 January 2016.

6. Recognised for Excellence Improvement Plan

Submitted report by the Chief Executive on the proposed Council response to the main recommendations following the Recognised for Excellence Assessors feedback report.

Members asked a question and were provided with further information on the timescales in relation to re-applying for R4E once the areas highlighted in the feedback report have been taken forward.

The Cabinet agreed the three phases of actions detailed in section 3 of the report.

7. Information Management Strategy

Submitted report by the Chief Executive on the revised North Ayrshire Council Information Management strategy, detailed at Appendix 1 to the report, and seeking approval for its adoption.

The Cabinet agreed to approve the Information Management Strategy detailed at Appendix 1 to the report.

8. Revenue Budget 2015/16 : Budgetary Control Statement to 30 November 2015

Submitted report by the Executive Director (Finance and Corporate Support) which (a) set out the revenue budgetary control position for the Council at 30 November 2015; (b) provided a brief explanation of Services' major variances at Appendices 1 - 8; (c) detailed the proposed virements at Appendix 9; and (d) detailed the Housing Revenue account budgetary control position at 31 November 2015 at Appendix 10.

The Cabinet agreed to (a) note the information and financial projections outlined in the report; (b) note (i) the current financial projection for the Health and Social Care Partnership and (ii) request that the Recovery Plan is submitted to a future Cabinet; (c) approve the virements detailed in Appendix 9; and (d) approve the earmarking of £5.630m as outlined in section 2.3(v) of the report.

9. Capital Monitoring to 30 November 2015

Submitted report by the Executive Director (Finance and Corporate Support) which provided information on the progress in delivering the Capital Investment Programme as at 30 November 2015.

Members asked a question and were provided with further information on the reduction and the delay in association with funding to come from the SPT in relation to work at Irvine Station car park.

The Cabinet agreed to (a) approve the revisions to budgets outlined at Sections 2.1, 2.5, 2.7 and 2.9 of the report; (b) note (i) the actual General Services and HRA expenditure and revised budgets to 30 November 2015; and (ii) the forecast of expenditure to 31 March 2016.

10. Review of EU NUTS 2 Regions

Submitted report by the Executive Director (Economy and Communities) on the response to the Scottish Government consultation on a review of the NUTS (Nomenclature of Units for Territorial Statistics) 2 regions in Scotland, detailed at Appendix 1 to the report.

The Cabinet agreed the response to the consultation, which supports the proposed NUTS 2 boundary change, as detailed at Appendix 1 to the report.

11. Ayrshire Growth Deal

Submitted report by the Executive Director (Economy and Communities) on the development of an Ayrshire Growth Deal in collaboration with regional partners.

The Cabinet agreed (a) the draft aim for the Ayrshire Growth Deal; (b) the project scoring criteria from which Ayrshire Growth Deal projects will emerge; (c) to continue the preparation of an Ayrshire Growth Deal in collaboration with South and East Ayrshire Councils with a view to the approval and submission of a bid in March 2016.

12. Proposal for the Naming of the New Cultural, Community and Leisure Centre in Irvine

Submitted report by the Executive Director (Economy and Communities) on the community engagement process related to the naming of the new Cultural, Community and Leisure Centre and proposing a name for the centre.

The Cabinet agreed that the new Cultural, Community and Leisure Centre in Irvine be named 'The Portal' or 'Portal' depending on the context.

13. Tourism

Submitted report by the Executive Director (Economy and Communities) on the report of the Ayrshire Joint Services Committee of 11 December 2015 regarding the Ayrshire and Arran Tourism - Future Delivery of the Ayrshire and Arran Tourism Strategy, detailed at Appendix 1 to the report, and on the development of a new approach to tourism in North Ayrshire.

The Chief Executive advised that correspondence had been received regarding the proposed recommendations contained in the report and circulated the emails and letters, together with responses, to Cabinet Members.

The Chair then invited Councillor Marshall to speak to the terms of the report and on the views of local trade regarding a lack of consultation on the proposals for the future delivery of the Ayrshire and Arran Tourism Strategy and the development of a new approach to tourism in North Ayrshire.

Councillor Bruce left the meeting at this point.

Cabinet Members discussed the following:-

- the requirement to look at tourism as part of the wider economic agenda and to use tourism as a vehicle for creative economic growth; and
- the need to be confident that the tourism sector grows and is promoted around local events within North Ayrshire.

The Cabinet agreed (a) to approve the report of the Ayrshire Joint Services Committee of 11 December 2015 on Ayrshire and Arran Tourism - Future Delivery of the Ayrshire and Arran Tourism Strategy, detailed at Appendix 1 to the report; (b) to receive a future report proposing a revised approach to local and regional delivery of activities in relation to tourism in Ayrshire, including a renewed focus on the major coastal and maritime strengths of North Ayrshire; and (c) that a meeting take place between representatives of the Largs Bid Group and officers of the Council on future proposals.

The meeting ended at 5.20 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

2 February 2016

Cabinet

Title: **Scottish Landfill Communities Fund**

Purpose: To (a) advise Cabinet of (i) the appointment of the Council's approved body to administer and distribute the Scottish Landfill Communities Fund (SLCF); and (ii) the application process for the SLCF; and (b) seek approval for the process of making arrangements for the Elected Member/Senior Officer composition of the North Ayrshire Council Landfill Advisory Fund Panel.

Recommendation: Agree to:
(i) note that LandTrust has been appointed as Council's approved body;
(ii) note the proposed application process as detailed in this report; and
(iii) approve the proposed arrangements for the composition of the North Ayrshire Council Landfill Advisory Fund Panel, as set out by Para 3 to make project funding recommendations to LandTrust.

1. Executive Summary

- 1.1 On 27 October 2015, Cabinet agreed to receive a future report from Economy and Communities on the revised arrangements for the Scottish Landfill Communities Fund (SLCF). The current report provides an overview of the new arrangements for the SLCF, which replaced the UK Landfill Communities Fund in April 2015. The main changes required by the SLCF are:
- Approved Bodies, or not for profit organisations, must be appointed by operators, including local authorities, to award landfill funding to projects; and
 - They must not not discriminate in selecting a project on the grounds of geographic location (other than in respect of the vicinity rules, i.e projects, meeting certain objectives of the fund, must take place within 10 miles of a landfill site or transfer station).

- 1.2 This report provides proposals for North Ayrshire's response to the new legislation.

2. Background

- 2.1 North Ayrshire Council is part of a tax credit scheme enabling it, as a local landfill operator, to contribute funding to projects that create environmental benefits and improve the quality of life for North Ayrshire's communities. Since 1996, the Council has contributed £2.5M of its total Landfill Tax liability toward the UK Landfill Communities Fund (LCF), supporting over 160 community based environmental projects across North Ayrshire ranging from improved public amenities, energy efficiency schemes to reclamation of disused land. The Council's SLCF for 2015/16 is estimated to be in the region of £130K.
- 2.2 The LCF in Scotland was devolved to the Scottish Parliament in April 2015, changing the way the fund is now administered. It has been replaced by the Scottish Landfill Communities Fund (SLCF). The Scottish Landfill Tax (Administration) Regulations 2015 prohibits landfill operators, including local authorities, from disbursing this new fund to eligible projects. Only not for profit organisations, which have the Scottish Environment Protection Agency's 'Approved Body' status and are independent of local authority control, are permitted to distribute the SLCF to eligible projects.
- 2.3 In November 2015, the LandTrust was appointed as the Council's sole approved body on a five year contract. One of Scotland's largest approved bodies, LandTrust has a proven track record working successfully with public and private landfill operators and community groups to secure funding and oversee projects to completion.
- 2.4 Community groups of varying capacity seek access to landfill funding and other funding opportunities. With this in mind, LandTrust offer groups a simple route to funding with support throughout the SLCF application process, improving a project's chance of success.
- 2.5 The application process will involve the following steps:
1. Submission of pre-proposal form to LandTrust;
 2. Submission of full proposal to LandTrust;
 3. The North Ayrshire Council Landfill Fund Advisory Panel makes recommendations to LandTrust Board in relation to proposals submitted;
 4. LandTrust makes final decision and award;
 5. Formal offer of funding issued; and
 6. Project starts.

- 2.6 Through the tender process to appoint the Approved Body, the Council successfully negotiated a role for Elected Members with the proposed establishment of the North Ayrshire Council Landfill Advisory Panel. The panel will develop SLCF projects by acting as a sounding board and by sharing local knowledge and ideas with the LandTrust. It will have an informal, advisory role within the application process but no decision making responsibilities. This balances the need for local accountability within SLCF funding decisions with the legislative requirement to maintain the independence of the LandTrust. The LandTrust is required by the new legislation to make the final decision on applications.

3. Proposals

- 3.1 It is proposed that the North Ayrshire Council Landfill Advisory Panel will comprise three Elected Members and two Senior Officers, including Head of Service (Connected Communities) and Senior Manager (Energy & Sustainability). It is proposed that the Administration nominates two Members and Labour Group one member for the Panel. The member composition/application process will be kept under review.
- 3.2 It is proposed that the North Ayrshire Council Landfill Fund Advisory Panel is chaired by an elected member.
- 3.3 It is proposed that Cabinet remits the Group to draft a Terms of Reference, in conjunction with LandTrust, subject to these being reported back to Cabinet. The LandTrust is currently developing criteria based on the Council's Plan's five strategic priorities and will seek to ensure the criteria are weighted clearly in favour of deliverable 'transformational' projects, aligning with these priorities. This will include an assessment mechanism for recommendations. The Panel will meet twice a year with its first meeting scheduled for the end of February 2016. The first funding decisions will be made by the LandTrust thereafter.

4. Implications

Financial:	The Council transfers the SLCF to the LandTrust for disbursal to eligible projects. The LandTrust takes 8% of every qualifying contribution it receives from the Council as payment for its running costs. LandTrust will be required to notify the Council of projects awarded funding.
Human Resources:	LandTrust provides dedicated support for community groups, freeing up officer time to concentrate on other activity.
Legal:	The appointment of the LandTrust ensures the administration and distribution of the Council's SLCF is fully compliant with the Scottish Landfill Tax (Administration) Regulations 2015. The Scottish Environment Protection Agency is the regulator for Approved Bodies and is responsible for verifying that qualifying contributions received by the LandTrust have been spent on the objectives of the fund.
Equality:	None.
Environmental & Sustainability:	The SLCF supports local environment improvement schemes that accord with the objectives of this fund. Eligible projects can include reclamation works, projects that reduce or prevent pollution on land, projects that provide or maintain public amenities or parks, delivery of biodiversity for UK species or habitats, and projects to restore or repair a building of architectural interest.
Key Priorities:	The SLCF objectives contribute to the implementation of the Council's Single Outcome Agreement (SOA) and, in particular, will assist in addressing the SOA objective of "Building Community Capacity and Community Engagement".
Community Benefits:	None.

5. Consultation

- 5.1 Cabinet has received a previous report on 27 October 2015, informing of the proposed changes. Connected Communities (Economy and Communities), Place and Democratic and Administration (Chief Executive) have been consulted on this report.



KAREN YEOMANS
Executive Director (Economy and Communities)

Reference : AMcN

For further information please contact Andrew McNair, Planning Officer,
Strategic Planning & Infrastructure on 01294 324769

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 4

2 February 2016

Cabinet

Title: **Award of Contract - Refurbishment of George Aitken Court Sheltered Housing Unit, Ardrossan**

Purpose: To advise the Cabinet of the result of the tender exercise for the refurbishment of George Aitken Court Sheltered Housing Unit, Ardrossan.

Recommendation: Agree to award the contract to James Frew Ltd.

1. Executive Summary

- 1.1 North Ayrshire Council requires to establish a contract for the refurbishment of George Aitken Court Sheltered Housing Unit, Ardrossan.
- 1.2 In order to comply with the Council's Standing Orders Relating to Contracts and Contract Procedure Rules and Public Contracts (Scotland) regulations 2012 (SSI 2012/88) (as amended) a formal tender exercise was advertised via the Public Contracts Scotland advertising portal.
- 1.3 The contract term is for 16 weeks.

2. Background

- 2.1 A formal contract notice was advertised on 9th November 2015 under the open procedure on the Public Contracts Scotland portal. The return date 30th November 2015.
- 2.2 The Contract Notice attracted 26 expressions of interest from a wide range of potential suppliers of which 6 submitted responses.
- 2.3 The 6 tenders received were evaluated against the stated evaluation criteria of lowest compliant tender price.

3. Proposals

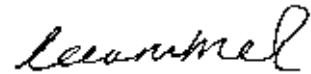
3.1 It is proposed that the contract be awarded to James Frew Ltd.

4. Implications

Financial:	The total value of the overall contract is £439,777.71. A total budget of £440,000 is available for this contract.
Human Resources:	None.
Legal:	The tender exercise was conducted in accordance with the Council's Standing Orders Relating to Contracts.
Equality:	None.
Environmental & Sustainability:	None.
Key Priorities:	This contributes to the Council Plan Priority 1 "Growing our economy, increasing employment and regenerating towns" by supporting commercial and residential development.
Community Benefits:	The contractor has agreed to provide various Community Benefits during the contract period including recruiting a young person facing challenges, a school project, 2 x 5 day work placement for school pupils, 1 x programme of mock interviews and providing SME/TSO development workshop.

5. Consultation

- 5.1 There was consultation with Property Management and Investment throughout the tender process.



LAURA FRIEL
Executive Director (Finance and Corporate Support)

Reference : NAC/2059

For further information please contact Hazel Templeton, Acting Category Manager on 01294 324547

Background Papers

None