

The Executive of North Ayrshire Council
8 September 2009

IRVINE, 8 September 2009 - At a Meeting of The Executive of North Ayrshire Council at 2.00 p.m.

Present

David O'Neill, John Reid, John Bell, Tom Barr, Margaret McDougall and Peter McNamara.

In Attendance

E. Murray, Chief Executive; B. Docherty, Corporate Director and S. Gault, Head of Service (Community Care) (Social Services); C. Kirk, Corporate Director and J. Ward, Head of Service (Educational Services); T. Orr, Corporate Director, R. Small, Head of Infrastructure and Design Services; J. McConnachie, Transportation Manager and J. Smith, Network Manager, Infrastructure and Design Services (Property Services); A. Herbert, Assistant Chief Executive (Finance); I. Mackay, Assistant Chief Executive (Legal and Protective); A. Blakely, Infrastructure Manager (Information Technology); M. McKeown, Team Leader - Committee Services; and A. Clarke, Team Leader - Communications (Chief Executive's Service).

Also In Attendance

Eugene Stansfield, Scott Wilson/EXP Consulting.

Chair

Councillor O'Neill in the Chair.

1. Declarations of Interest

In terms of Standing Order 16, Councillor McNamara, as a director of North Ayrshire Leisure Limited, declared an interest in item 3 on the agenda.

2. Presentation

The Executive received a presentation by Mr Eugene Stansfield of Scott Wilson/EXP Consulting on the Society of Chief Officers for Transportation in Scotland (SCOTS) Roads Asset Management Project.

The Council, together with all other local authorities in Scotland, is involved in the SCOTS project, which ultimately aims to improve the quality of information regarding the standard of Scotland's roads infrastructure.

As part of the project, which is in the second of four years, each authority is undertaking work to identify the extent of their roads assets (including carriageways, footways, structures and lighting etc.) and to produce a local Roads Asset Management Plan (RAMP) for their area. Each authority is expected to produce a draft RAMP by February 2010. The purpose of RAMPs is to:

- benchmark the Council's current position;
- identify gaps between current and desired asset performance and RAMP practice;
- record and critique current practice and knowledge;
- identify issues and highlight areas for improvement; and
- help authorities and the government to move towards a strategic approach to managing the roads network.

RAMPS, once established, will establish the extent and quality of each authority's assets and help to inform future investment decisions both locally by individual authorities and nationally by the Scottish Government.

Noted.

3. Leisure, Sport and Recreational Services in North Ayrshire

Submitted report by the Corporate Director (Educational Services) on a proposed review of recreation, leisure and sports provision in North Ayrshire.

Councils across Scotland deliver facilities for recreation, leisure and sporting activities through a variety of means including in house direct service provision and management, private sector management contracts, and arms-length organisations such as leisure trusts. In January 2000, North Ayrshire Council established North Ayrshire Leisure Limited (NALL) as a charitable trust to provide recreation, sport, and leisure services for the community of North Ayrshire. NALL took over operational control of the Council's recreation, leisure and sports facilities and services on 1 April 2000 under a contract with the Council whereby, in return for providing these services, NALL would receive annual contribution from the Council towards its operational costs. Sports facilities operated by NALL remain in the ownership of the Council but are leased to the Trust for a period of fifty years in respect to the major facilities, and twenty years for the smaller outdoor facilities.

Community sports clubs and organisations also make a significant contribution to the leisure and sport provision.

Since 2000, significant changes have taken place both nationally and locally which influence how recreation, leisure and sports services are delivered. These were summarised in the report. The current development of the North Ayrshire Strategy for Physical Activity Sport and Health provides an opportunity to comprehensively review the provision of recreation, leisure and sports services in North Ayrshire. The purpose of the review is to establish:

- North Ayrshire Council's key priorities for physical activity, sport and health 2009-2013;
- The future funding commitment by the Council to deliver these priorities;
- The level of sport, recreational and leisure service required by the local area;
- Options for the efficient and cost effective ways of delivering sport, recreation and leisure services in North Ayrshire;
- Health Improvement objectives
- Commonwealth Games Legacy objectives.

The report set out a range of possible options for the efficient and cost effective delivery of recreation, leisure and sports in future, although it was highlighted that this list of options was not exhaustive. It was proposed that the review should be undertaken in association with NALL, representatives from NHS Ayrshire and Arran, and service users. The Executive stressed the need to ensure that Elected Members were involved in the process.

The Executive agreed to (a) approve the terms of the proposed review of leisure and recreational provision in North Ayrshire, subject to the role of Elected Members in the process being clarified; and (b) remit the review to the Scrutiny Committee for its input.

4. Joint Review of Older People's Services on the Isle of Arran

Submitted report by the Corporate Director (Social Services) on the outcome of a joint review of Older People's Services on Arran undertaken by the Council and NHS Ayrshire and Arran.

The objectives of the joint review were to: provide an up-to-date and comprehensive profile of the island; highlight areas of identified need; establish the views of service users/service providers/local community/carers on the effectiveness of services currently provided on the island; establish the priorities of service users/service providers/local community/carers for future provision of older people's services on the island; and make recommendations on the future provision of older people's services on Arran. The review process focused on services provided by the Council and NHS Ayrshire and Arran although a number of services provided by partners in the voluntary and private sectors were included as part of mapping older people's services on the island.

The review process involved consultation with key stakeholder groups to establish their views in relation to both current and future service provision for older people. A public consultation event was held on 31 January 2009 to provide all interested parties with the opportunity to participate in the review and to allow participants to contribute to focus group discussions on the future development of these services. The focus groups helped in identifying the strengths of current provision in older people's services, identified gaps in this provision, and highlighted areas of service that offer the potential for development.

The report on the outcome of the joint review, a copy of which was appended to the committee report, provides a position statement on current service provision on Arran, presents data based evidence on current levels of need, and addresses the overall efficiency and effectiveness of the current range of services for older people provided on the island. The report includes an improvement action plan which will be taken forward jointly to support older people on Arran. Key actions arising are as follows:-

Social Services:

- Establish a 24-hour Mobile Response service.
- Provide a range of intermediate care and rehabilitation services.
- Provide effective transport for day care services.

NHS Ayrshire and Arran

- Provision of speech and language assessment and treatment service: An assessment of the level of need for this service is needed.
- Provision of domiciliary physiotherapy services.
- Provision of storage facilities for community equipment.
- Provision of day hospital facilities. Alternative ways of delivering this service need to be explored.
- Provision of a more effective service for those with hearing impairment.
- Review existing District Nursing Services.

The joint report was approved at the North Ayrshire Officer Locality Group (Adults and Older People) in August 2009. The Group agreed that the action plan would be monitored through the Older People Sub Group and that a progress report be submitted regularly to the Community Health Partnership Committee.

The Executive, in welcoming the action being taken to establish a 24 hour mobile response service on the island, requested that the Chief Executive makes representations to Strathclyde Partnership for Transport regarding the long term future of the Red Cross rural transport and escort service and in connection with the operation of the dial a bus service on the island.

The Executive agreed (a) to note the outcome of the review and the action plan arising therefrom; and (b) that the Chief Executive makes representations to Strathclyde Partnership for Transport regarding the long term future of the Red Cross rural transport and escort service and in connection with the operation of the dial a bus service on the island.

5. Location of the Throughcare Service for Young People Leaving Care

Submitted report by the Corporate Director (Social Services) on the outcome of efforts made to find alternative premises for the Council's Throughcare Service for young people leaving care.

The Council's Throughcare Service is currently located in an adapted Council house in Saltcoats. It is widely agreed that the existing facility is not suitable to deliver the full range of services to care leavers. As a result, alternative premises have been sought for some time. At the meeting of North Ayrshire Council held on 12 November 2008, the Council rejected a proposal to relocate the Service to new premises in West Road, Irvine, and instead instructed officers to carry out further consultation with service users on a more appropriate location for the Throughcare Service.

The Throughcare Service has specific requirements of its premises to meet the needs of the young people using them. Since November 2008, efforts have been made to find alternative, suitable premises. An extensive search by Estates confirmed that the Council has no premises that would be suitable without substantial alteration work. The option of a new build facility has been ruled out, particularly in view of the current pressures on the Council's capital budget. Social Services also considered using an existing office in Dreghorn as a new location for the Throughcare Team, but rejected this option when it became clear, after consultations, that the young people had serious concerns about the location.

A further review by Estates produced only one further option - the former Careers Scotland office in East Road. This building is however in a poor condition and the cost of bringing it up to the required standard would be considerable. The only building currently controlled by Social Services which might be made available for Throughcare is the former Older People's Unit at Caley Court in Stevenston. This building has however been vacant for over three years and is likely to need considerable work to restore it to a reasonable standard. Further, the perception is that this building would be too large for Throughcare alone and there are no other services that might easily be located there.

As no suitable alternative premises, or premises that can be refurbished without incurring substantial additional costs, have been identified, it was proposed that the Throughcare Service should remain in its current location and that £50,000 be allocated from the Repairs and Renewals Fund to refurbish the premises. Both Social Services and Estates will continue to review premises falling vacant in future for suitability as a permanent location for Throughcare.

The Executive agreed (a) that the Throughcare Service remain in its current location for the time being; (b) to approve expenditure of £50,000 to undertake a limited programme of refurbishment to the premises; and (c) that the Corporate Director (Social Services) and the Principal Estates Officer continue to review premises falling vacant for suitability as a future location for the Throughcare Service.

6. Projects Funded from the Landfill Communities Fund (LCF) 2009/10

Submitted report by the Assistant Chief Executive (Legal and Protective) on a proposed programme of projects to be funded through the Landfill Communities Fund (LCF) in 2009/10.

Landfill Community Funds are collected by the Council, as a Landfill Operator, on behalf of Customs and Excise. The Council is allowed to divert a percentage of tax collected to enrolled environmental bodies to carry out a range of works which meet the approved objectives. Enrolled bodies have to obtain approval for each project from Entrust, the regulator of the LCF, to ensure they meet the declared objectives of the scheme. Under the LCF, the Council, as a landfill operator can distribute up to 6.0% of the Landfill Tax it collects to enrolled bodies to fund projects within the objectives of the scheme.

Since the scheme began in 1997, the Council has contributed approximately £1,718,474 to a total of 100 projects. In the current financial year 2009/10, it is anticipated that £123,000 will be available to fund new projects. However, with the current downturn in the economy, and the increase in recycling, there has been a marked fall in the amount of material going to landfill in the last 12-15 months. This resulted in the 2008/09 allocation of £160,000 being over optimistic and necessitated some £46,235 coming out of this year's projected budget to enable approved projects from 2008/09 to proceed. This has reduced the amount of potential funding for the current year's allocation to approximately £77,000.

There has been a distinct lack of projects coming forward from the Garnock Valley area since the inception of the LCF scheme and this is again the case for the current year. Following concern expressed by some of the Garnock Valley Members last year on this matter, direct action, in liaison with the Council's External Funding Officer, was taken to encourage a greater uptake of funding opportunities by community groups for Landfill Communities Funding and the new LEADER scheme.

A number of drop in surgeries throughout the Council area were held including events at Dalry, Kilbirnie and Beith. A further LEADER event is to be held on 17 September at Radio City, Kilbirnie, and this opportunity will again allow details of the LCF scheme to be made available. It is apparent, however, that there is a need for community capacity building within the Garnock Valley to help community groups target suitable sources of funding and implement environmental improvements and other types of development or regeneration initiatives. A meeting will take place with Local Members in due course to discuss how this will be taken forward.

The report presented information about, and an evaluation of, 9 projects which have been submitted for funding consideration in the current year i.e.

- Stevenston: Provision of 4 historical signboards for Champion Shell Inn, Stevenston Burns Connection and Industrial Coal Canal
- Ardrossan Park Parish Church: Roof repairs to session house
- Kilwinning Community Sports Club: Proposed playing field improvements
- West Kilbride: Barony Church: Proposed arts and craft centre
- Stevenston Thistle Football Club: Hard standing improvements to sports compound
- Saltcoats North Parish Church: Restoration and repair works to Church and related halls
- Isle of Arran: Easmor: Boundary fencing to southern section of the footpath network
- Kilwinning: Dalgarn Mill: Replacement museum shed
- Scottish Wildlife Trust: Irvine Woodlands Project

The Executive agreed to approve the programme of projects set out in the report, to be funded from the LCF in 2009/10.

7. Stevenston: Portland Place: Flats 15A, 15B and 15C

Submitted report by the Corporate Director (Property Services) on the proposed service of Closing Orders on the properties at 15A, 15B and 15C Portland Place, Stevenston.

The owner of the properties at 15A, 15B & 15C Portland Place, Stevenston, approached the Council for advice and assistance with repairs to the flats on 6 July 2009. Inspections of the flats were undertaken on 9 July and 16 July 2009, during which the properties were found to be in very poor condition and below the Tolerable Standard as defined by Section 86 of the Housing (Scotland) Act 1987. In such circumstances, the Council has powers to serve Closing Orders in terms of Section 114 of the Housing (Scotland) Act 1987 to prevent the properties being occupied.

The Executive agreed to approve the serving of Closing Orders in terms of Section 114 of the Housing (Scotland) Act 1987, on the owner of the properties at 15A, 15B and 15C Portland Place, Stevenston.

8. Licensing (Scotland) Act 2005: Implementation of New Licences

Submitted report by the Assistant Chief Executive (Legal and Protective) on the work undertaken by North Ayrshire Licensing Board and its staff to implement the terms of the Licensing (Scotland) Act 2005 which became operative on 1 September 2009.

The Licensing (Scotland) Act 2005, which received Royal Assent on 21 December 2005, makes radical alterations to the Scottish Liquor Licensing regime by introducing new forms of licences for both premises and individuals working in the industry. Previously only premises were required to be licensed under the 1976 Act, but under the 2005 Act, the licensing regime is extended to cover persons who work in licensed premises.

The implementation phase of the new legislation has been underway since early 2006 and has culminated in a commencement date for new licences of 1 September 2009. All existing premises holding a licence under the Licensing (Scotland) Act 1976 were obliged to seek a new licence under the 2005 Act. The lead-in period covered many months, reflecting the anticipated administrative burden on Licensing Boards and their staff in ensuring that all applications were properly submitted and supported with the necessary documentation in order that a new licence could be issued by the commencement date.

The cut off date for applying for new premises licences was set at 28 February 2009. Within North Ayrshire, a total of 405 premises applied for premises licences and by 31 August 2009, all but 3 had been granted or provision made whereby in terms of the transition arrangements the licensee could continue to trade. On 1 September, the 3 remaining premises were dealt with by the Licensing Board enabling them to operate. Personal licences for those individuals working within the Licensed premises are also required and applications for these have been received and processed.

The work of North Ayrshire Licensing Board in dealing with the new arrangements has been continuous and has resulted in frequent meetings over the last 12 months. The staff of the Licensing Section, including the new Licensing Standards Officers, have been working for over a year with the license trade to ensure a seamless transfer which has now been achieved.

The Executive noted with appreciation the work of North Ayrshire Licensing Board, and Licensing staff, in implementing the terms of the Licensing (Scotland) Act 2005.

9. British Telecom (BT): 3 Year Contract for Data Communications Network

Submitted report by the Assistant Chief Executive (Business Change & Customer Service) on a new 3 year contract with BT for the provision of the Council's data communications network.

The Council has around 200 data communication circuits that link offices to make up the Council's Wide Area Network. In terms of the Council's Standing Orders for Contracts, a new 3 year contract with BT for the provision of a data communications network has been agreed by the Chief Executive. The contract has been signed and will result in savings to the Council on an annual basis of around £80,000. As well as generating savings, the new contract will provide for a common termination date of August 2012 and will allow the Council more time to replace certain types of circuits that will not be supported in the future by BT.

The Executive agreed to endorse the signing of the contract awarded to BT for the provision of the Council's data communications network, as set out in the report.

The meeting ended at 3.25 p.m.