

The Executive of North Ayrshire Council
2 June 2009

IRVINE, 2 June 2009 - At a Meeting of The Executive of North Ayrshire Council at 2.00 p.m.

Present

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

In Attendance

I. Snodgrass, Chief Executive, E. Murray, Chief Executive Designate; C. Kirk, Corporate Director (Educational Services); T. Orr, Corporate Director, and O. Clayton, Head of Housing and Building Services (Property Services); S. Paterson, Head of Service (Children, Families & Criminal Justice) (Social Services); J. Barrett, Assistant Chief Executive (Business Change and Customer Service); J. M. Macfarlane, Assistant Chief Executive (Human Resources); I. T Mackay, Assistant Chief Executive and R. Forrest, Planning Services Manager (Legal and Protective); A. Herbert, Assistant Chief Executive (Finance); and J. Montgomery, General Manager, M. Adams, Policy Officer, M. McKeown, Team Leader Committee Services and A. Wattie, Communications Officer (Chief Executive's).

Chair

Councillor O'Neill in the Chair.

1. Support for Survivors of Rape and Childhood Sexual Abuse

Submitted report by the Chief Executive on proposals to provide counselling services for survivors of rape and childhood sexual abuse in North Ayrshire.

Counselling services for survivors of rape and childhood sexual abuse were until recently provided in North Ayrshire by counsellors in the "Moving On" service managed by the Three Towns Healthy Living Centre. This service ended when the Healthy Living Centre closed in February 2009. Since then there has been evidence of a continuing demand for counselling services in North Ayrshire reported by health visitors, GPs and other health workers.

In East Ayrshire this specialist service is provided by "Break the Silence" and by the Rape Counselling and Resource Centre based in Kilmarnock. In South Ayrshire the service is provided on an outreach basis by the Counselling and Resource Centre and by "Moving On". Community Mental Health Services also provide support across Ayrshire, as well as agencies such as Women's Aid and Victim Support.

Discussions have taken place through the Strategic Alliance with NHS Ayrshire and Arran and the three local authorities, regarding the possibility of commissioning counselling services on an all Ayrshire basis. A training needs analysis of staff and a scoping exercise are to be carried out and the matter is to be referred to the Shared Services Group in due course. This should assist in identifying a longer term solution to the provision of support to survivors of rape and childhood sexual abuse.

Members asked questions and received clarification on arrangements to ensure that there will be no gap in service delivery at the end of the current year and on funding arrangements for the proposed all Ayrshire service.

Meantime, pending a long term solution, it was proposed that service providers in Ayrshire be invited to bid for a contract to deliver a counselling service for the remainder of 2009/10 at a cost of £30,000. This service will be delivered on an outreach basis and premises will be identified in North Ayrshire.

The Executive agreed to (a) the commissioning of a counselling service for survivors of rape and childhood sexual abuse on a temporary basis for 2009/10; and (b) support Ayrshire-wide discussions on the longer term arrangements for the delivery of counselling services for the future.

2. Treasury Management Strategy 2009/10 and Prudential Code: Prudential Indicators

Submitted report by the Assistant Chief Executive (Finance) on the Treasury Management Strategy for 2009/10 and the Prudential Indicators for 2009/10 to 2011/12 as required by the Prudential Code for Capital Finance in Local Authorities.

The Local Government in Scotland Act 2003 requires the Council to set Prudential Indicators for at least a three year period to ensure that the Council's capital investment plans are affordable, prudent and sustainable. The Act also requires the Council to set out its treasury strategy for borrowing and investment. The proposed Treasury Management Strategy for 2009/10 and the Prudential Indicators for 2009/10 to 2011/12 were appended to the report.

Members asked questions and received clarification on the impact of the global economic downturn on the Council's investment portfolio, and on the arrangements in place within Finance's Treasury Management Team to regularly monitor and review the Council's investment strategy.

The Executive agreed to approve (a) the Treasury Management Strategy for 2009/10; and (b) the Prudential Indicators for years 2009/10 to 2011/12, as set out in the report.

3. Affordable Housing Framework

Submitted report by the Corporate Director (Property Services) which (a) provided information on the current Council House Building programme and the Housing Association Grant awarded to North Ayrshire by the Scottish Government and (b) sought approval to commit income generated from the reduction of Council Tax discount on second homes properties to the development/procurement of new affordable housing.

The Affordable Housing Framework involves a range of policy and investment measures which aim to allow the delivery of the Local Housing Strategy objective "meeting the housing needs and aspirations of local people". The Framework supports the Single Outcome Agreement between North Ayrshire Council and the Scottish Government. Specifically, the Framework supports the National Outcome "We live in well designed, sustainable places where we are able to access the amenities and services we need" and the North Ayrshire Outcome "Availability of affordable housing has improved". Indicators to measure success include "an increase in the supply of affordable housing reaching practical completion each year".

In November 2008 the Scottish Government invited local authorities to bid for funding to 'kick start Council House Building'. Of the 14 local authorities that submitted successful bids, North Ayrshire was 1 of only 3 Councils allocated the full amount requested i.e £575,000. The funding will be used to build 23 housing units in Castlepark, Irvine. The overall cost of the project is estimated at £3.1m. The remainder of the funding, agreed by the Executive on 10 March 2009, will be a combination of Housing Revenue Account reserves, Private Finance, and income from the Council's Affordable Housing Account.

Housing Services has entered into a partnership agreement with Irvine Housing Association, who have been appointed to project manage the development on behalf of, and in partnership with, the Council. A design team (comprising architect, engineer, quantity surveyor, Construction (Design and Management) Regulations 2007 Co-ordinator) has been appointed to progress the Castlepark project and work is ongoing. The project architect has prepared a timeline which shows the development will commence on-site by March 2010. A series of community and stakeholder consultation events will take place to give the local community the opportunity to comment on the proposed development.

Within the Affordable Housing Framework, the Strategic Housing Investment Plan (SHIP) details the Council's affordable housing investment priorities. The Plan is a robust and dynamic strategic planning tool which is updated annually, and is submitted to the Scottish Government's Housing and Investment Directorate.

The Plan details the Council's investment priorities and identifies development opportunities and how these can be delivered in practice. In response to the SHIP, the Scottish Government has awarded a development budget of £7.681m to North Ayrshire in 2009/10 which will be utilised as Housing Association Grant (HAG). Housing Services have met with the Scottish Government's Housing & Investment Directorate to agree the investment priorities for the HAG. Details of how the funding will be utilised were provided in the report. The priorities reflect both the SHIP and allow for the inclusion of one additional windfall opportunity identified in Largs (Nelson Street).

The income generated from the reduction of the discount on second homes Council Tax, and held in the Affordable Housing Account, is currently £3.1m. £664k is forecast for collection during 2009/10. It was proposed that this income be invested in the development of a forecast 78 new properties. The Council's investment will provide sole grant subsidy for 15 new properties and will significantly support the development of a further 63. The new homes will therefore be provided in highly pressured housing markets in 2009/10 as a result of the Council's grant funding.

Members, in approving the terms of the report, discussed the requirement to ensure that funding for affordable housing developments within North Ayrshire continues to be allocated based on need.

The Executive agreed that Housing Services invest the income secured from the discount to second homes Council Tax, and held within the Council's Affordable Housing Account, towards delivering an estimated 78 affordable housing units in highly pressured markets within North Ayrshire, as set out in the report.

4. Appointment of Design Consultancy Framework Agreements

Submitted report by the Corporate Director (Property Services) seeking approval to advertise for Framework Agreements for the appointment of design consultancy works.

Due to difficulties in recruitment and the need to cope with a variable workload, Infrastructure and Design Services within Property Services sometimes lacks in-house expertise in certain areas. This necessitates the need to appoint consultants for specific projects by competitively tendering for each project as required which can result in delays to the initiation of projects. The setting up of Framework Agreements under European Union procurement rules would negate that difficulty. It was therefore proposed that Framework Agreements should be advertised and procured for the following services:

- Mechanical and Electrical Services
- Quantity Surveying Services
- Landscape Architecture
- Minor Structural Work
- Architectural Services

The existing Framework Agreement for Engineering Services will be used as the model for agreeing the terms and conditions and the day to day operation of the Framework Agreement. Between three and four consultants will be appointed for each service and the intended duration of the Framework Agreement will be 3 years, with the option to extend for up to 1 additional year.

The Executive agreed to approve the advertising and the procurement of Framework Agreements for the design consultancy works as set out in the report.

5. Housing Support Contracts

Submitted report by the Corporate Director (Property Services) seeking approval to enter into contractual agreements with housing support providers throughout North Ayrshire.

Housing Services currently funds a number of housing support providers to deliver accommodation based and outreach support throughout North Ayrshire. These providers have been on a letter of undertaking from 1 April 2003, which the Scottish Government stipulated should remain in place until provider service reviews were completed. Negotiations were undertaken in 2008/09 with four external providers of housing support services in terms of putting in place acceptable contractual frameworks with the aim of improving monitoring arrangements for North Ayrshire Council. The approval of contractual agreements with these service providers will support North Ayrshire's Single Outcome Agreement and the National Outcome (7) to tackle significant inequalities in Scottish society. Specifically the contracts will contribute to reducing overall levels of homelessness (North Ayrshire Outcome 7a) and the Community Plan priority of Caring & Supporting (3).

Since 2007, Housing Services has completed service reviews of all local providers funded by the Supporting People Grant. These reviews have led to a restructuring of the Housing Support budget and have identified increased efficiency savings totalling £65,969 for 2009/10 as a result of enhanced scrutiny of expenditure and consistent application of funding criteria. In April 2007, the Scottish Government published a paper "Supporting People - Procurement Information Sheet". The paper confirmed that such services did not require to be commissioned following a formal procurement model but that contracts can be entered into on completion of a service review.

The report proposed that contractual agreements be concluded with a number of providers i.e. Barnardos, Cunninghame Housing Association, Quarriers, and Women's Aid. Details of the value and scope of the contracts were set out in the report. Each contract will be for one year with the option to extend for a further two years. The overall value of the contracts is £1,958,470.

The Executive agreed to approve the terms of the contracts for housing support providers as set out in the report.

6. Response to the Accounts Commission's Consultation Document on Best Value 2 Proposals

Submitted report by the Chief Executive on the Council's response to the Accounts Commission's Consultation on Best Value 2 proposals.

In March 2009, the Accounts Commission published a document entitled "Best Value 2: Proposals for Consultation". The document set out a range of proposals for conducting the second phase of Audits of Best Value and Community Planning (BV2) and invited comments by 31 May 2009. The proposals contained within the consultation document are based on the findings of an independent review of the Best Value Audit process commissioned by the Accounts Commission and on consultations with Councils, consumer organisations and the Scottish Government. The consultation document provides an overview of how the Accounts Commission might shape its future approach to BV2. The proposals contained in the document take account of experience to date in auditing Best Value, the need for a stronger outcome and improvement focus to the work, the Concordat between local and national government, and the opportunities to streamline scrutiny presented by the scrutiny reform agenda.

The report summarised the principles underpinning the proposed approach to BV2 and the key improvement areas therein. Feedback received through the consultation process will be used to help shape the development of BV2, which will be tested at a number of pathfinder audits during the course of 2009 before the roll out of BV2 audits from January 2010. The pathfinder audits will be of Angus, Dundee City, East Ayrshire, Highland and Scottish Borders Councils.

A copy of the Council's response to the consultation paper was appended to the report. The response broadly welcomes the proposals and, as such, is consistent with the COSLA/SOLACE position.

The Executive agreed to homologate the Council's response to the Accounts Commission consultation as set out in the appendix to the report.

7. Town Centre Regeneration Fund

Submitted report by the Assistant Chief Executive (Legal and Protective) on the Town Centre Regeneration Fund and to seek approval to prepare and submit 1st tranche bids for appropriate projects.

In February 2009, the Scottish Government announced that £60 million would be made available across Scotland as a Town Centre Regeneration Fund (TCRF). The fund is intended to complement efforts already underway in town centres across Scotland which are feeling the effects of the economic downturn. The TCRF will fund capital projects and must be spent within financial year 2009/10. The fund opened for applications on 30 April 2009 and there will be two rounds of assessments of applications. The deadline for the first round is 5 June 2009 (c. £40m) with the second being 21 August 2009 (c.£20m).

The report provided details of the purposes of the TCRF, the types of project that will and will not be eligible for funding, and the criteria that will be used to assess projects. In summary:-

- Projects are expected to make a strategic contribution to the long term plans for their town centre; and all areas of the country are to benefit.
- Bids are expected to be between £100,000 and £3,000,000.
- Evidence showing that investment is needed is required, and that projects will contribute to long term strategic improvements to the town centre.
- Inclusion in local plans and evidence of the support of local partners is emphasised as being of importance.
- Projects are expected to be within the boundaries of areas allocated 'town centre' in Local Plans.
- Partnership working and bids in partnership are encouraged.
- The additionality resulting from a proposal should be shown.

Potential projects bids for North Ayrshire have been drawn up and assessed using the main criteria and related subsets set out in the Scottish Government's guidance on the TCRF. Appendix 2 to the report provided details of the scoring applied in respect of each potential bid. Scores of 1-3 were given with 1 being the lowest and 3 the highest, this method being intended to indicate the most suitable projects. Weightings were attached to reflect critically important elements which are 'economic potential' (x2), 'deliverable within the timescale and strategic impact' (x3) and 'long term sustainability' (x2). The matrix scores were summarised in appendix 2 (a) and the ranking in appendix 2 (b).

The outcome of the exercise suggests that North Ayrshire Council's priorities for the first round of bids should lie with Kilbirnie town centre car parking (Garnock Street Police Station) (£300,000) (Subject to agreement by Strathclyde Police); Irvine High Street public realm works, car parking provision and accessibility improvements (£1.75m) (with Irvine Bay URC agreeing to the use of their land); Beith Main Street resurfacing of roads and pavements (£160,000); Dalry Smith Street town centre car parking (£600,000); and a thematic bid for CCTV installation in Kilbirnie, Dalry and Largs (£85,000). Revenue for the maintenance of the latter will be funded from Economic Development's existing Town Centre Regeneration Budget (c.£12,000 per annum on the basis of seven cameras between the towns).

In recognition of the total bid amount proposed adding up to £2.9m and the Scottish Government's indication that they may consider parts of schemes where they are capable of subdivision, the proposed bid for Irvine has identified three component parts, namely (a) provision of car parking (at former Police Station) and vennel improvements (£600,000); (b) High Street North streetscape works and resurfacing (£800,000); and (c) High Street South streetscape works and resurfacing (£350,000). From the scoring system it is apparent that Council support should be given to the Irvine Bay Regeneration Company in respect of their bids for restoration of the Jack Miller's and Harbour Bar buildings, Ardrossan, the Kilwinning Eastern Gateway site assembly (with the Council transferring building to the URC) and refurbishment of 2 Vernon Street in Saltcoats. These proposals have previously been the subject of public consultation as part of the Town Plans exercise.

Scoring also identifies that further work should be done on bids for Hyndman Green/Tron Place, Largs and Bridgegate House, Irvine, which are presently lacking in specification, to enable submission to the second round of bidding in August. This would be brought to the Executive on 28 July at which time there may be the opportunity to reconsider any unsuccessful bids.

The list of potential projects with a brief summary of each and a location plan was included in appendix 3 to the report. It is believed that the proposed bids represent the best fit between the qualifying criteria of the TCRF and North Ayrshire Council's interests in town centre regeneration.

In approving the proposals Members indicated that preparatory work should take place to identify projects that could be put forward for any future round of funding in future years.

The Executive agreed to (a) approve the bids as set out in the report; (b) authorise the Assistant Chief Executive (Legal and Protective) to submit the bids to the Scottish Government by the deadline of 5 June 2009; and (c) report back to the Executive on 28 July 2009 on details of the two schemes indicated for submission in August and on any unsuccessful bids and any additional bids which may be appropriate.

8. Acceptable Computer Use Policy

Submitted report by the Assistant Chief Executive (Business Change and Customer Service) on the proposed introduction of a revised Acceptable Computer Use Policy covering all Council staff and elected Members.

The Council's Acceptable Computer Use Policy provides a security framework under which users of the Council's computers can operate while the risk to the Council's data, network and computer infrastructure is minimised. In the last 18 months, both the UK and Scottish Governments have undertaken extensive security reviews and sought independent advice. This has resulted in Councils being subjected to data governance audits and Government bodies being more accountable for the way in which data is stored, handled, managed and transmitted. Such risk management continues to feature highly within the revised Policy with specific Government requirements being incorporated.

Application of the current Policy and investment in security software and hardware by IT Services has reduced the risk associated with potential threats from the use of electronic mail and the Internet. However one of the main emerging threats in recent years has been from the use of portable devices such as Notebook PCs and memory sticks (USB memory devices). The current Policy, agreed in March 2002, has been reviewed to take into account these new and emerging technologies. A revised Policy was appended to the report. Additions to the Policy have mainly resulted from technological advancements and Government requirements, identified primarily through Audit Scotland. These include:

- addition of Copyright requirement checks for Internet file and image downloads;
- Data Protection Act contracts with third parties;
- third party Acceptable Computer Use contracts;
- requirement for Services to hold an information asset register;
- requirement to have retention schedules for files;
- appropriate handling of restricted and classified information and for this to be managed with information classifications and encryption where appropriate.

Staff and elected Members will be required to agree to accept the revised Policy and to indicate that they have read and understood its content. This will be done electronically for the majority of users. Remaining users will be issued with notification of the changes in writing and will be required to sign their acceptance of the new Policy.

The Executive agreed to approve the revised Acceptable Computer Use Policy for the Council, subject to the Section 10.6 on the use of peripherals being revised so far as it relates to elected Members not connected to the Council's network.

9. Strategic Service Statements 2009-12

Submitted report by the Chief Executive on the strategic context and priorities for Corporate Services covering the next three years, as contained in the Strategic Service Statement 2009-12.

At its meeting held on 21 April 2009, the Executive considered a report on the Strategic Service Statements for Corporate Services, Property Services and Social Services. At that time the Executive agreed to convene a special meeting to consider the Strategic Service Statements in more detail. Further discussions indicated that rather than convene a special meeting, individual Service Statements should be considered individually at future meetings of the Executive.

The Strategic Service Statement for Corporate Services was appended to the report. The Statement provided information on the role and key functions of Corporate Services, details of the partnership environment in which the Service operates, a 3 year strategic assessment of the key factors that will impact on the work of the Service over the next three years, and the Service's key priorities over the next three years.

Members asked questions and received clarification on the following areas:-

- the role of the Criminal Justice Authority;
- progress in implementing the Core Paths Plan;
- progress of the job evaluation appeals process;
- development of the Customer Contact Strategy; and
- the Council's role in promoting health improvement

The Executive agreed (a) to note the strategic context in which Services operates, particularly in relation to the impact of the economic downturn and the change agenda; (b) to approve the Service priorities for Corporate Services for the next three years; (c) that the Corporate Director report to a future meeting of the Council's Health Improvement Role; and (d) that the Chief Executive should explore mechanisms for keeping Members up to date with developments within the Community Planning Partnership.

The meeting ended at 3.45 p.m.