

The Executive of North Ayrshire Council  
17 February 2009

**IRVINE, 17 February 2009** - At a Meeting of the Executive of North Ayrshire Council at 2.30 p.m.

**Present**

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

**In Attendance**

I. Snodgrass, Chief Executive; B. Docherty, Corporate Director (Social Services); C. Kirk, Corporate Director, B. Gardner, Head of Educational Resources and J. Ward, Head of Service (Educational Services); T. Orr, Corporate Director and T. Stevenson, Development and Strategy Manager, Housing (Property Services); A. Herbert, Assistant Chief Executive and D. Johnston, Insurance and Risk Manager (Finance); I.T. Mackay, Assistant Chief Executive (Legal and Protective); M. McKeown, Team Leader, Committee Services and A. Clarke, Team Leader, Communications (Chief Executive's).

**Chair**

Councillor O'Neill in the Chair.

**1. Declarations of Interest**

In terms of Standing Order 16, Councillor Bell declared an interest in item 5 below, relating to the involvement of Kilbirnie Community Football Club.

**2. Isle of Arran: Affordable Housing Policy**

Submitted report by the Corporate Director (Property Services) on the progress made in relation to the development of an Affordable Housing Policy (AHP) for the Isle of Arran.

On 29 July 2008, the Executive agreed that an AHP for the Isle of Arran, which forms part of the Affordable Housing Framework, should be developed. The AHP, a copy of which was appended to the report, has now been finalised to draft stage.

The document seeks developer contributions to meet demonstrated need for affordable housing on all development sites on Arran with an overall site capacity of 4 units or more, or a site area of equal to, or greater than, 0.2 hectares.

The policy seeks to incorporate affordable housing at a rate of 25% in accordance with policy guidance issued by the Scottish Government. The rate will be calculated on the basis of the overall capacity of a site. If a site is being developed in phases of less than 4 units, the affordable housing requirement will still apply. A legal agreement with developers will be required in order to secure policy objectives.

The AHP is accompanied by supplementary guidance which is intended to assist developers to interpret how the Council intends to implement the policy. The AHP identifies four methods of developer contribution, which are listed in order of the Council's preference. The Council will inform the developer of the preferred option, early in the development process. The contribution methods in order of preference are as follows:-

**Option 1: Integrated development** where developers build units which would be transferred as fully fitted units to a Registered Social Landlord (RSL) for onward management and maintenance.

**Option 2: Transfer of on-site land** to an RSL in order for them to carry out the development of the affordable units themselves. Site servicing, ground condition remediation, infrastructure works and associated costs of the land to be transferred should be agreed with the appointed social landlord.

**Option 3: Off-site Provision** where the Council may, in some circumstances, agree to consolidate the requirement from a number of these sites on another site owned by the same developer. Alternatively, the Council would consider accepting the provision of an equivalent number of off-site housing units.

**Option 4: Payment of commuted sum** to the Council in lieu of any other preference. The sum to be paid is equivalent to the contribution sought for the other preferences.

Should land or finances which are transferred to the Council not be used or be programmed for affordable housing purposes within a reasonable period of time, normally 5 years from the final instalment, then these assets will be returned to the developer, in the case of financial contributions together with interest at the 'bank rate'.

Public consultation on the draft policy will consist of inviting comments through advertisements in a local newspaper and by making copies of the policy available on the Council's web site and at Council offices. Additionally, bodies represented on the Rural Housing (LHS) Sub Group will also be consulted. The policy will be available for public comment for a period of 4 weeks commencing 27 February until 27 March 2009. The outcome of the consultation will be collated and will inform the final version of the AHP that will be submitted to the Executive on 21 April 2009 for approval.

The Executive agreed that (a) the finalised draft AHP be subject to public and stakeholder consultation for a period of four weeks; (b) the outcome of the consultation exercise be used to inform the finalised AHP, which will be submitted to the Executive on 21 April 2009; and (c) having received the necessary approval, the AHP be implemented with as soon as possible immediate effect.

### **3. Housing Repairs Policy**

Submitted report by the Corporate Director (Property Services) on a draft housing repairs policy.

At its meeting on 30 September 2008, the Executive approved the implementation of new contractual arrangements for the provision of housing repairs. Current repair standards are listed in the Tenant's Handbook. In order to define a more effective repairs service, and to respond to repairs issues raised in the Housing Regulator's 2008 inspection report, a draft housing repairs policy has been developed to supplement and supersede the information presently available to tenants.

The draft policy, a copy of which was appended to the report, provides more precise details on repair times for individual items, and clarification on the respective responsibilities of the Council and the tenants. The policy also explains "responsive repairs", "planned works", "deferred works" ("re-assigned works" in the draft policy) and "major works". The policy is designed to:

- emphasise and encourage repairs by appointment;
- reduce the number of repairs carried out as emergencies;
- introduce a 3-day repair category;
- reduce the amount of multiple visits;
- reduce the longest repair category from 28 to 21 days; and
- provide an explanation of deferred repairs (re-assigned repairs)

Tenants' representatives have been consulted on the draft policy and further tenant consultation will be undertaken. Tenants will be involved in, and consulted on, all aspects of the repairs service so that, as far as possible, the new service will reflect their needs and aspirations. It is intended that the draft policy will be implemented within the next few months in order that the new Building Services Housing Contract can be developed subsequent to actual use of the policy.

Members discussed the need to advise tenants promptly when repairs are deferred and, if possible, to provide them with a timescale for the deferred repair to be carried out. Members also agreed that there was a need for shower installations to be given higher priority where the shower is the only method of washing in the house.

The Executive agreed to approve the draft repairs policy, subject to (a) further consultation being carried out with tenants; and (b) the policy being implemented in conjunction with the new Building Services Housing Contract; and (c) the comments outlined above in relation to deferred repairs and shower installations.

#### **4. 2009/10 Insurance Tender**

Submitted report by the Assistant Chief Executive (Finance) on the recent tender for the provision of insurance services to North Ayrshire Council from 1 April 2009.

The Council last tendered for insurance services in 2004 and at that time entered into a 5 year long-term agreement with Zurich Municipal. The current contract ends on 31 March 2009 and to ensure continuity of cover, a tender exercise was undertaken. The tender was prepared in consultation with Council services, including the Procurement Section, and with the Council's insurance brokers, Marsh, who assisted in the preparation of the tender and issued the document to the market under OJEC negotiated procedures.

Tenders were invited for insurance and related services commencing 1 April 2009. To ensure best value and to create an effective partnership with the successful provider, the tender requested quotations based upon long-term agreements i.e. a 3 year long-term agreement; a 3 year long-term agreement (with 2 year optional extension); and a 5 year long-term agreement. Following publication of the required notices under OJEC, 15 companies expressed an interest to tender. The tender was issued and final submissions were received from five companies, although not all companies tendered for all of the proposed business.

The tender evaluation process considered four main classes of insurance i.e. property, motor, casualty (including both public and employers liability policies), and engineering. No provision was made for terrorism cover although this position will be reviewed annually as required. The evaluation process identified that savings could be gained by placing a combined package for all four classes of insurance. On this basis two companies, Zurich Municipal and Risk Management Partners, were best placed to provide a combined package with the former company making the most economically advantageous offer.

The Executive agreed to accept the tender of £1,429.890 submitted by Zurich Municipal on the terms outlined in the report.

#### **5. Club Demonstration Project 2007-2010**

Submitted report by the Corporate Director (Educational Services) on progress in supporting sports development and participation in the regeneration areas of North Ayrshire.

In 2006, the Council received funding from sportscotland to increase sport participation in regeneration areas. The Council used this funding to employ a Club Development Officer to support, promote and develop sustainable community sports organisations in regeneration areas, capable of delivering services and increasing opportunities at a local level. The post is funded by sportscotland until the end of March 2010. In addition to funding the post, sportscotland also allocated £60,000 over three years to support the work of the Club Development Officer. This additional funding comes from sportscotland's Club Development Demonstration Programme which is designed to pilot good practice and support innovation in club development.

At the outset it was agreed that the Club Development Officer would work intensively with a manageable number of identified sports clubs serving regeneration areas in order to build capacity. Six clubs were identified to participate in the project i.e. Ardrossan Academicals Community Sports Club, Auchenharvie Community Sports Club, Irvine Community Sports Club, Kilwinning Community Sports Club, Garnock Rugby Club, and Kilbirnie Community Football Club. As part of sportscotland funding requirements, the proposals needed to have approval from the North Ayrshire Community Planning Partnership (CPP). This was secured and the project has reported to the CPP Co-ordination Group on progress. The appendix to the report set out and evaluated the progress of the project in 2007/08 and the work undertaken by the Club Development Officer with each of the six clubs. In summary, the Club Development Officer has provided advice and support to the clubs to enable them to:

- become formally constituted groups;
- gain charitable status or become a company limited by guarantee with charitable status;
- develop funding bids;
- produce professional publicity materials;
- access rates relief, lease of facilities etc;
- establish links with schools/Active School Coordinators;
- begin the process of a planned growth in club capacity.

A number of additional North Ayrshire clubs have also received short term support and advice from the Club Development Officer, including Largs Gymnastics Club, Dalry Community Sports Club, North Ayrshire Rugby Development Group and Scottish Association of Local Sports Councils.

The findings of the work carried out by the Club Development Officer provides the basis of a planning framework to support the development and sustainability of voluntary sports organisations across North Ayrshire. The work completed so far will influence the approach to be adopted by partners to support community sport development in the new physical activity and sport strategy currently being developed for North Ayrshire. The approach used by the Club Development Officer is recognised as good practice and value for money. The development of the facilities at each club is seen as key to building club capacity and their impact on local opportunities.

Developing the partnership between the local authority and the volunteer organisations is again nationally recognised as good practice and very effective use of funding. Partners have identified some funding to progress this at two of the clubs. A final evaluation of the project will be completed by December 2009. This will provide Educational Services and community planning partners, including sportscotland, the opportunity to consider, taking account of the current financial situation, how best to promote and support community sports clubs. In addition Educational Services will undertake a review of the wider support available for physical activity and for promoting and supporting community development and capacity building within the voluntary sector.

Whilst recognising the work undertaken by the Club Development Officer, Members nevertheless expressed the view that more could be done to deliver sports and physical activity opportunities across North Ayrshire in a more coordinated and strategic manner. The Executive requested that the Corporate Director (Educational Services) come forward with proposals to a future meeting.

The Executive agreed (a) to note the progress made to date; and (b) that the Corporate Director (Educational Services) come forward with proposals to a future meeting.

## **6. Year of Homecoming 2009**

Submitted report by the Chief Executive on the Council's Programme for the Year of Homecoming 2009.

Scotland's Year of Homecoming 2009, is a Scottish Government led initiative aimed at attracting visitors to Scotland in 2009 to mark the 250th anniversary of the birth of Robert Burns. Homecoming will also celebrate some of Scotland's great contributions to the world. The Scottish Government through EventScotland has set up a Homecoming Partner Events Programme which allows events that meet certain criteria to be included in the Homecoming marketing campaign. Branding on promotional events is also allowed and a number of the Council's key events have been put forward to this Programme. Each local authority in Scotland, has been assigned a homepage within the official Homecoming website to list other local events and reciprocal arrangements to link from North Ayrshire Council's website to that of the Homecoming have been agreed.

A funding allocation was available to local authorities from Homecoming to support events for the Themed Events Programme. Securing this one-off funding would require substantial match funding from Council budgets, and additional funding to be spread over 2008/09 and 2009/10. In North Ayrshire, it was decided that, given current financial constraints, this would not offer best value. Instead it is intended that the Council will deliver a balanced programme of activities within existing budgets by focussing on existing activity and supporting other planned events such as highland games, sailing events and outdoor activities.

A Council marketing campaign will be rolled out to target visitors to North Ayrshire, and to encourage the local community to join in with Homecoming celebrations. The Council will be active in branding a number of events to support Homecoming, including the provision of outdoor and indoor promotional material. The approach adopted will allow the Council to participate and support the national programme and maximise the economic and cultural benefits to North Ayrshire.

Educational Services has arranged a series of events to involve local people, and visitors to North Ayrshire in exciting and engaging activity. Details of Educational Services Homecoming programme was set out in the appendix to the report. The wide ranging programme involves communities on the mainland and on Arran & Cumbrae, and will promote the diverse range of culture and history in North Ayrshire. The year will also highlight local museums, such as the Garrison (Cumbrae), Dalgarnen Mill (Kilwinning), North Ayrshire Museum (Saltcoats) and the Vennel Local and Family History Centre (Irvine).

In welcoming the proposed programme, Members nevertheless requested the Council's programme be extended as appropriate to include events involving groups such as the Irvine Burns Club, as well as to take in other existing events such as the Viking Festival, and events and activities on the Island of Arran.

The Executive agreed to (a) approve (i) the Homecoming programme as outlined in the report; (ii) the launch of the Programme at the Harbour Arts Centre on 6 April 2009; and (b) receive further progress reports at future meetings and thereafter to assess the economic and cultural impact of the Programme.

## **7. Largs: Moorburn House**

Submitted report by the Corporate Director (Property Services) on an initial approach by Cunninghame Housing Association (CHA) to remove Moorburn House from sale to allow the Association to carry out a feasibility study into the future use of the property for a business centre and social rented housing together with car parking.

The Executive agreed to the sale of Moorburn House at its meeting on 29 July 2008. Subsequently however, at its meeting held on 28 October 2008, the Executive was advised that the proposed purchaser had withdrawn from the sale. In the circumstances the Executive approved an interim measure to use the property as a facility for let until such time as the market improved.

Cunninghame Housing Association (CHA) have made an approach to the Council, requesting that the property be taken off the market until such time as the Association can conclude a feasibility study into the possible development of the site for a mixed development involving up to 12 new build units of social rented housing and the redevelopment of the existing building into an enterprise/community facility.

It is understood that CHA's proposals also involve formation of car parking on the front grounds at Moorburn House. CHA envisages that initial work on this proposal should be completed by 31 March 2009 for them to be in a position to evaluate the feasibility of taking the project to a second stage including a full options appraisal and business planning exercise.

During the course of the marketing campaign for the building, potential developers were advised that any proposed development of the front grounds of Moorburn House would have to conform to the Marketing Brief. CHA have been advised that their proposals appear contrary to the Marketing Brief for the site which was put in place to preserve the formally maintained gardens, mature trees and boundary walls, at the location, and to protect the Largs seafront from unsuitable development.

Montagu Evans as the Council's agents have indicated that interest in the property has been expressed by a third party and that a formal offer may follow. In the circumstances the Assistant Chief Executive (Legal and Protective) advised the Executive that it would be inappropriate to take the property off the market as requested by CHA. He further advised that any proposals coming forward for the site, from CHA or another party, should conform with the approved Marketing Brief for the site. Any variation to the original Brief would require the Council's approval and could require the property to be re-marketed to allow previous enquirers to consider submitting an Offer to Purchase on the basis of a new Brief.

In the circumstances, the Executive agreed (a) not to accede to CHA's request that Moorburn House be taken off the market pending the outcome of their feasibility study; (b) to consider any proposals for the future sale of the property on their individual merits; and (c) that a briefing for Largs Members be arranged as soon as possible to advise them of developments.

## **8. Extension of Term Contracts for Major Works Programmes to Council Houses**

Submitted report by the Corporate Director (Property Services) on a proposed extension to the current Term Contracts for Major Works Programmes to Council houses.

Major Works Programmes to Council houses are carried out through Term Contracts covering re-roofing, re-rendering, combined re-roofing and re-rendering, electrical re-wiring and central heating. These contracts were tendered in 2006 (2007 for re-rendering), with an option to extend for a further two years beyond the original contract completion date of 31 March 2009, at the discretion of the Corporate Director (Property Services). The current contracts are due to expire on 31 March 2009.



The Term Contractors are providing a satisfactory service. There is no evident reason not to extend the current contracts, and, indeed, it would be in the interests of the Council to do so, given the satisfactory performance of the contractors, and the uncertain nature of the current construction industry in general. The prices charged through the aforementioned Term Contracts were obtained by competitive tenders, and the extension of the contracts for a further two years will continue to reflect that competitive pricing. The extension of the current Term Contracts for Major Works Programmes to Council houses will ensure continuity of the current satisfactory service, at competitively won rates and will continue to ensure major progress towards compliance with the important aspects of the Scottish Housing Quality Standard.

The Executive agreed (a) to extend the Term Contracts for Major Works Programmes to Council houses for a period of two years to 31 March 2011, as set out in the report; and (b) that the Corporate Director (Property Services) invite the contractors to review their pricing structures in light of the economic downturn.

## **9. Grant to the Scottish Maritime Museum**

Submitted report by the Corporate Director (Educational Services) on the Council's funding contribution to the Scottish Maritime Museum for financial year 2009/10.

The Executive agreed to award a grant of £86,000 to the Scottish Maritime Museum in financial year 2009/10 on the terms and conditions indicated in the report.

The meeting ended at 3.20 p.m.