

The Executive of North Ayrshire Council
18 November 2008

IRVINE, 18 November 2008 - At a Meeting of the Executive of North Ayrshire Council at 2.30 p.m.

Present

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

In Attendance

C. Kirk, Corporate Director and J. Ward, Head of Service (Educational Services); B. Docherty, Corporate Director and L. Raeside, Head of Service (Finance and Performance) (Social Services); T. Orr, Corporate Director, O. Clayton, Head of Housing and Building Services and R. Small, Head of Infrastructure and Design (Property Services); A. Herbert, Assistant Chief Executive (Finance); I. Mackay, Assistant Chief Executive (Legal and Protective); and P. Shiach, Committee Services Officer (Chief Executive's).

Chair

Councillor O'Neill in the Chair.

Apologies for Absence

John Reid.

1. Revenue Budget 2008/09: Budgetary Control Statement

Submitted report by the Assistant Chief Executive (Finance) on the budgetary control position for the Council at the end of September 2008.

In terms of General Services, the Council budgeted for a deficit of £0.319m in the current year, and agreed to fund various one-off projects from Council balances. Projections based on current expenditure levels suggest that a net balance of £0.465m will arise by the end of the financial year. With a favourable balance of £10.154m brought forward from 2007/08, a cumulative balance of £10.619m is projected at 31 March 2009. The report and appendices provided details of major variances in the budget to the end of September 2008. Action will be taken to address any potential overspends where these arise.

The accumulated balance on the Housing Revenue Account is likely to be £1.714m, in excess of the £0.500m in the 2008/09 budget. This will be used to invest in the Council's housing stock.

Noted.

2. Capital Monitoring to 30 September 2008

Submitted report by the Assistant Chief Executive (Finance) on the position of the Council's capital programmes as at 30 September 2008, and on revised programmes for ensuing years.

At its meeting held on 29 July 2008, the Executive received a report on revisions to the Council's capital programme as a result of a reduction in capital receipts following the downturn in the housing market. Since that date, further meetings have been held with Services regarding capital expenditure and with the Capital Receipts Working Group regarding capital receipts. Affordability levels have changed slightly since July. Certain receipts anticipated in 2008/09 have now been deferred to future years. These have been offset by increases in grants from the Scottish Government. Total capital receipts have increased by £1.924m since the July meeting of the Executive. Appendix 1 to the report provided details of the changes to the Affordability levels since July, whilst appendix 2 provided details of changes to each Service's approved programmes.

In terms of the General Fund Capital Programme, actual expenditure to 30 September 2008 amounted to £12.814m or 36.3% of the projected outturn for 2008/09 of £35.276m. This compares with an actual spend of 32.8% for the same period in 2007/08.

The projected outturn for the Housing Revenue Account for 2008/09 has increased slightly from the approved budget, with actual expenditure to 30 September 2008 amounting to £6.235m or 33.1% of the projected outturn of £18.852m. This compares with an actual spend of 35.5% for the same period in 2007/08. Income from the sale of Council houses is projected to fall by £1.893m to £5.470m as the take-up rate following application has decreased dramatically. Income from the sale of other land and property is also projected to fall by £0.800m as a result of the rephasing of certain sales from 2008/09 to 2009/10 due to the downturn in the housing market. As a result of the above, net capital expenditure, or borrowing, is projected to increase by £2.743m from £5.123m to £7.866m.

The Executive agreed to (a) note the position of the Council's capital programmes at 30 September 2008; and (b) approve the revisions to the capital plan outlined in the report.

3. Progress Report on the Improvement Plan in Response to Recommendations made in the Social Work Inspection Agency Performance Inspection

Submitted report by the Corporate Director (Social Services) on progress made to September 2008 on implementing the recommendations arising from the Social Work Inspection Agency's (SWIA's) performance inspection report of Social Services in North Ayrshire.

SWIA issued its report on the performance inspection of North Ayrshire Council Social Services in December 2007 and on 13 May 2008, the Executive approved an Improvement Plan drawn up by Social Services to address the recommendations arising from the inspection report. The Improvement Plan contains a total of 62 actions to address the 15 recommendations arising from the SWIA inspection. The appendix to the report provided details of progress made against the actions contained in the Improvement Plan. Good progress has been made, with 33 actions rated green (on target), 28 actions rated amber (some slippage), and 1 action rated red (significantly behind target).

The single red rated action relates to quarterly liaison meetings with the Children's Panel. These have not been held as planned due to staff changes and the impact of other inspection activity. However, other actions to improve partnership working with the Children's Hearing system have been progressed and are all assessed as green. Of the 28 actions rated amber, 15 have slipped due to the delay in establishing the new Community Health Partnership (CHP). Where Social Services has been able to progress actions on its own account this has been done. Issues relating to partnership working have been highlighted as of crucial importance to the improvement plan. It is therefore important that the plan has a priority on the CHP agenda and that of the Locality Officers Groups. Senior managers within Social Services will take every opportunity to move the actions forward in conjunction with the Council's partners. Now that the CHP has begun to operate and the NHS staff are all in post it will be possible to progress these actions. Other actions rated as amber have either been allowed to slip because it makes more sense to complete another linked action first, or because circumstances have changed since the plan was first drawn up.

Two inspectors from SWIA, together with an Audit Scotland consultant will visit North Ayrshire Council in early December to review progress made against the Improvement Plan. The lead inspector has indicated that she will apply a light touch to this visit and that it should last no longer than three days. Particular areas for focus are likely to be partnership working and contracts and commissioning. It is envisaged that the Inspectors will meet with the Leader (both in his role as Leader and as Chair of the CHP) and the two portfolio holders. SWIA will receive a copy of this progress report together with evidence to support progress made. On the basis of the report and the evidence, SWIA will determine the precise focus of their work during the follow-up visit in December.

The Executive agreed to note progress to date and to continue to support the implementation of the Improvement Plan as set out in the report.

4. The Uprating of Allowances for Carers

Submitted report by the Corporate Director (Social Services) on proposed new arrangements for uprating allowances to carers on an annual basis.

A range of allowances are paid to carers who have children or young people placed with them on a temporary, permanent or respite basis. The allowances vary in terms of the responsibilities which the carer may have and are also determined by the age of the child and in some cases the level of difficulty the child or young person may present. All allowances incorporate a cost of living element. In recent years, allowances to carers have been uprated against the Council's charging policy. It is considered that this arrangement is no longer appropriate and accordingly it was proposed that authority should be delegated to the Corporate Director (Social Services) to uprate expenditure across all the allowances in line with the rate of annual pay award to North Ayrshire employees, which will be accounted for in the budget allocation for Social Services.

The Executive agreed to authorise the Corporate Director (Social Services) to uprate allowances for carers in line with the annual pay award for North Ayrshire employees on an annual basis from 1 April each year.

5. Joint Inspection of Services to Protect Children and Young People in North Ayrshire: Action Plan

Submitted report by the Corporate Director (Educational Services) on a proposed action plan to address the findings of HMIE Inspection of Services to Protect Children in North Ayrshire.

At its meeting held on 29 January 2008, the Executive received a report on the process and progress of HMIE Inspection of Services to Protect Children in North Ayrshire. At that time the Executive agreed to receive a further report once the inspection had been concluded. Phase one of the inspection took place in December 2007 and phase two in January 2008. In February 2008, the HMIE inspection team presented detailed verbal feedback to North Ayrshire Child Protection Committee. A draft report was then submitted to the Chief Officers Group at the end of March 2008, and a meeting was held with the managing inspector to clarify and challenge some aspects of the report. The final written report on the findings of the inspection was published on 22 May 2008.

Whilst the HMIE report was positive overall, significant ongoing work remains to improve services continually to protect children and young people in North Ayrshire. The inspection report highlighted the Council's strengths and identified five key areas for development, details of which were set out in the report. A multi agency action plan has been developed to respond to issues arising from the inspection. Successful implementation of the action plan will require the full support and co-operation from all the agencies involved in providing services to protect children and young people in North Ayrshire. All North Ayrshire Child Protection Committee partners are fully committed to implementation of this action plan which is expected to be completed by December 2009.

The Executive agreed to note the report and approve the action plan developed to respond to the issues arising from the inspection.

6. A Travel Plan for North Ayrshire Council

Submitted report by the Corporate Director (Property Services) on a proposal to introduce a Travel Plan as a means of reducing the Council's CO2 emissions footprint, and improving the health and well-being of staff.

North Ayrshire Council appointed a Travel Plan Officer in August 2007 to research and advise on sustainable travel solutions that will mitigate its carbon emissions through staff commuting between home and work. Since his appointment, the Travel Plan Officer has undertaken research including a Staff Travel Survey in conjunction with partner agencies and in line with other local authorities to assess present trends and patterns in order to identify areas where CO2 emissions could be reduced. A Travel Plan, a copy of which was appended to the report, has now been drawn up with the aim of introducing a range of measures to reduce the reliance on the car by North Ayrshire Council employees and to incentivise a modal shift to more sustainable travel options. Elements of the Travel Plan have a hierarchy based on when they may be implemented. These were summarised in the report. Short term measures aim to encourage staff to walk/jog at lunch times, to cycle to and from work, to use public transport and to car share. Initiatives will be promoted through the staff webpages and through promotional materials. In the medium to long term, the Plan contains proposals to reduce business travel, to replace Council vehicles with low emission vehicles as standard and investigate alternative fuels/hybrid technology for future vehicle purchases, and to reduce working patterns to reduce the need for travel during the traditional rush hour periods.

Although many projects will have a minimal budget impact, a number of activities will need financing, particularly the marketing and promoting of the scheme to staff and installation of improved shower facilities in buildings. The report set out how the short term recommendations can be funded. It is anticipated that medium to long term measures may require more significant funding. Any salary sacrifice schemes will require to be administered to ensure effective control of the money transfers etc., and processed through Payroll. It is expected that initial take up of the schemes will be low and that the Travel Plan Officer can provide the administrative support required with guidance from Corporate Personnel. If however the schemes exceed initial expectations and there is a high level of demand, consideration may need to be given regarding additional administrative resources. A further report may therefore be required should this occur. Other services may be required to support in kind through supportive service provision. More work will be required to determine the implications of medium/long term objectives and a further report will be submitted to the Executive once more detailed proposals have been prepared.

The Executive agreed (a) to adopt the Travel Plan for North Ayrshire Council staff as set out in the appendix to the report; (b) to approve the implementation of the short term recommendations contained within the Plan and the proposed funding arrangements; (c) that discussions take place with Trades Unions on the matter to allow for a formal launch in Spring 2009; and (d) to receive a further report on the implications of medium/long term objectives at a future meeting.

7. Affordable Housing Investment Programme

Submitted report by the Corporate Director (Property Services) (a) seeking approval for submission of the Strategic Housing Investment Programme (SHIP) to the Scottish Government; (b) providing details of decision making with regard to 'off the shelf' affordable housing procurement opportunities; and (c) providing an update on the affordable housing investment on Arran with regard to income generated through a reduction in the discount for second homes Council Tax.

North Ayrshire Council's Strategic Housing Investment Plan (SHIP) is an annex to the North Ayrshire Local Housing Strategy 2005-2010 (LHS) and sets out how investment in affordable housing will be directed over a five year period, to achieve the outcomes set out in the LHS. The SHIP specifically identifies details of regeneration and new supply initiatives, where funding is required from the Scottish Government's Housing Investment Division, and reinforces both the Council's role as the strategic housing body for North Ayrshire, and the importance of the outcomes and targets set out in the LHS. It is a requirement of the Scottish Government that the SHIP is submitted to them for consideration no later than 28 November 2008. Future funding from the Government will be allocated to local authorities based on their SHIP submissions, and on how deliverable the regeneration and new supply initiatives detailed within this submission are. The SHIP was developed in partnership with local Registered Social Landlords (RSLs).

Funding for affordable housing investment in North Ayrshire is dependent on the SHIP clearly identifying deliverable affordable housing projects. All affordable development projects included in the SHIP are understood by the Council and its partners to be deliverable within the 5 year SHIP time frame. The SHIP identifies a requirement for £63m in funding for the Affordable Housing Investment Programme in North Ayrshire over the next five years. This figure exceeds the anticipated budget of £47.3m and to deliver the projects outlined in the SHIP, additional funding of £15.661m is required over the SHIP period. Investment priorities in future versions of the SHIP may be subject to change, following the outcome of a North Ayrshire Mainland Housing Needs and Demand Assessment, due in May 2009, and the outcome of research into the Cumbrae Housing Market, due in December 2008.

The Government has committed 'accelerated funding' of £100m nationally to allow development opportunities to be brought forward as well as the consideration of 'off the shelf' procurement opportunities. In October 2008, North Ayrshire was awarded £600,000, to bring forward development on Arran. Housing Services are currently liaising with the Scottish Government, in order to identify further opportunities and seek additional accelerated funding. The SHIP also identifies projects which can be brought forward within the investment programme, should additional funding be made available by the Scottish Government in future. North Ayrshire Council's financial contribution to the affordable housing investment programme is through the sale of land for affordable development to Registered Social Landlords, for less than market value, subject to Scottish Government approval. Sale of Council land for less than market value will result in an estimated capital receipt loss of £1,770,000. This figure has been calculated by Infrastructure & Design Services, based on unit costs used by the District Valuer, grossed up to the previous differential between 'affordable housing values' and 'market values'.

In recent months the Council and local RSLs have been approached by various private developers with offers of 'off the shelf' properties, which they have been unable to sell on the open market. Developers have offered these properties at a reduced value, making them an affordable housing option. The funding for the purchase of such properties would come from the limited budget allocation for the affordable housing investment programme in North Ayrshire. The extent of affordable housing need/demand differs between housing sub market areas. To ensure maximum effectiveness within the affordable housing investment programme, a list of criteria, details of which were set out in the report, has been drawn up which must be met before the Council will consider supporting the procurement of 'off the shelf' units. 'Off the shelf' properties do not need to meet Housing for Varying Needs Standards. Instead the RSLs must satisfy the Scottish Government that the housing is appropriate for the range of households in need, and the proposal must be supported by the Local Authority. Scottish Government regional offices have delegated powers to facilitate the procurement, by RSLs, for a maximum of five 'off the shelf' properties in any Local Authority area within a single year. In addition, the Government has identified a process to allow the consideration of opportunities over and above this. Proposals are considered on their individual merits. During 2008/09 Housing Services have identified 'off the shelf' units which meet the required criteria, and have included a further 27 'off the shelf' units for purchase during year 1 of the SHIP (2009/10). Procurement from the private sector is a complex issue. Firstly, it may not be possible, due to funding constraints, to procure all units which meet the required criteria. It is proposed therefore that Housing Services will continually monitor and review all units on offer, and support the procurement of those which offer best value to the Council and its partners. Secondly, private developers do not remove the properties from the open market while they await confirmation that funding has been made available by the Government, therefore there is a chance of the units being sold on the open market before funding is received.

The Council has secured £2.3m (to March 2008) from the discount for second homes Council Tax. This income is held within North Ayrshire Council's Affordable Housing Account. On 31 October 2008, the Scottish Government issued updated guidance on the use of this income. Until now funding has been routed mainly through RSLs for the provision of new-build affordable housing to meet locally determined priorities. However, as a result of the update guidance, Local Authorities are now also permitted to use this fund as Rural Home Ownership Grants, for the funding of specified elements of water and sewerage infrastructure, for new council housing building, to bring empty properties back into use and to support land acquisition for affordable housing more fully. The same guidance indicated that the Government would give further consideration to the proposition of using this funding to purchase 'off the shelf' properties from private developers.

Over the course of 2008/09 the Council and Trust Housing Association/Isle of Arran Homes have been working together to identify sites which would benefit from the investment of this income. Unfortunately, various constraints have emerged which have forced a review of how the Affordable Housing Account can be best utilised for affordable development on Arran. Housing Services will continue to work with Trust Housing Association/Isle of Arran Homes and the Scottish Government to seek methods of either overcoming the constraints or identifying new affordable development opportunities. Any income remaining from the existing £2.3m in the Affordable Housing Account, following exhaustion/completion of opportunities on Arran, will be directed towards other priority areas identified within the SHIP. Should other opportunities arise in Arran in the future these could be funded from the ongoing £600,000 per annum collected through the discount to second homes council tax.

The Executive agreed (a) to approve (i) the affordable housing investment priorities identified within the SHIP, (ii) the criteria identified within the SHIP with regard to the procurement of 'off the shelf' properties; and (iii) approve the sale of Council land (where specified within the SHIP) at less than the market value as defined by the District Valuer, to Registered Social Landlords, for affordable housing development (subject to Scottish Government approval); (b) that the SHIP be submitted to the Scottish Government in advance of the 28 November 2008 deadline; and (c) to note the constraints which apply to utilising monies secured through the discount to the second homes council tax for affordable housing investment on Arran.

8. Irvine: The Vennel: Local and Family History Centre

Submitted report by the Corporate Director (Educational Services) on the relocation of the local history department of North Ayrshire Libraries.

At its meeting on 9 January 2007, the former Educational Services Committee agreed to support the relocation of the local history department from the Library Headquarters/Ardrossan branch library accommodation in Princes Street, Ardrossan, to new premises in the Vennel Museum and Gallery in the Glasgow Vennel, Irvine. The move from Ardrossan to Irvine took place in December 2007, with the service reopening to the public on 10 December 2007. The new premises offer a welcoming and attractive environment for researchers to work, with an increase in the number of computer stations available and more up to date microfilm readers. Stock is more visible and accessible. The accommodation was upgraded and the furnishings designed to create a public access room and a resources library, with public access internet terminals and microfiche readers available in a welcoming and professional environment. Now known as The Vennel Local and Family History Centre, the facility holds collections relating to North Ayrshire and Scotland, including books, pamphlets, directories, maps and photographs. The relocation of the local history department has been successful in improving front line service delivery and in increasing access both for schools, local residents and visitors to North Ayrshire. The report summarised the positive impact that the relocation has had for service users.

The Executive agreed to (a) note the improvement to the service achieved by the relocation of the local history department to Irvine; and (b) support the continued development of the family and local history service.

9. Isle of Cumbrae: Millport: Cumbrae Library and Museum of the Cumbraes

Submitted report by the Corporate Director (Educational Services) on improvements to frontline service delivery in Cumbrae Library and the Museum of the Cumbraes.

The restored Garrison House, Millport, opened to the public in February 2008. Part of the main restoration project included a new permanent museum exhibition. In addition a new library fit out was funded by North Ayrshire Council's capital programme. The restored facility has been extremely well received within the Cumbrae community and has also attracted large numbers of visitors.

Since May 2008, 22,000 people have been recorded visiting the museum exhibition. These visits will contribute substantially to the new Statutory Performance Indicator 3b) - Number of visits in person to council funded or part funded museums, expressed per 1,000 population. In 2007/08, the first year of reporting on this indicator, the museum was only open for two months. The museum previously operated seasonal hours of opening and weekends only, but now is available all year round and throughout the week. The museum is currently applying for accreditation from the Scottish Museums Council, who administer the scheme on behalf of the Museums, Libraries and Archives Council.

Work is continuing on the transfer of the remainder of the collection, from temporary storage in huts based within the grounds to the purpose built store within Garrison House. The resource space within the museum has already hosted a range of activities for adults and children and this programme will continue to expand, providing a community hub for the residents and summer visitors to Cumbrae. Cultural Services staff collaborate with the Library and Information Service on this development. Museums Service staff are also researching and planning the involvement of the community in exhibiting further evidence of the heritage of Cumbrae, building on the interest raised within the community by the new museum.

The local community has also responded enthusiastically to the improved and expanded library which consists of an adult lending library, a children's library, an IT suite of 10 computers and a browsing, information area. Its success is evidenced by improved statistics across all aspects of front line service delivery and this has been sustained in the 8 months of operation. The full impact will be known when the library has been open for a full year, but already membership is up on previous years, with more people visiting the library and more resources being issued. It is particularly rewarding that the quality facilities provided for children and young people have made significant impact and have resulted in 87 new registered members against 14 new members in the previous year. Book groups, rhyme times, storytelling, homework club and computer activities are now flourishing and children from Cumbrae PS are involved in the selection and acquisition of books for the library. The building also houses the local NHS surgery and the library service has plans to offer bibliotherapy support to patients in partnership with the medical staff.

The Executive agreed to (a) note the improvement in performance of Cumbrae Library and Museum of the Cumbraes achieved since the reopening of Garrison House; and (b) receive further reports on the development of the Library and Museum services.

10. Sundry Debtors Write Off

Submitted report by the Assistant Chief Executive (Finance) on balances written off under delegated powers and seeking authority to write off balances over £1,000.

The Council's Financial Regulations provide that sums due to the Council may be written off when all avenues for recovery have been exhausted and where the sums are considered to be irrecoverable. Debts of less than £500 may be written off under delegated powers by the Assistant Chief Executive (Finance), whilst debts of between £500 and £1,000 may be written off by the Assistant Chief Executive (Finance) following consultation with the Chief Executive. Individual debts over £1,000 require the approval of the Executive before being written off.

The appendix to the report provided details of 3,563 accounts below £1,000 with a value of £172,084.52 that have been written off under delegated powers. A further 7 accounts in excess of £1,000 totalling £19,498.06 require Executive approval to be written off. Although it is proposed that the accounts be written off as irrecoverable, further attempts will be made to recover the debts through Stirling Park, Sheriff Officers, where possible. Since April 2007, debt previously written off totalling £550,722.61 has been passed to Stirling Park for collection. To date £14,685.42 (2.6%) has been recovered.

The Executive (a) noted the sums written off under delegated powers; and (b) authorised the write off of debts over £1000, as set out in the report.

11. Tenders for Specialist Asbestos Surveys

Submitted report by the Corporate Director (Property Services) seeking authorisation to invite tenders for the provision of asbestos surveys in Council housing stock.

The Capital Investment Programme within the Council's Stock Retention 30 year Business Plan makes provision for the replacement of existing kitchens, bathrooms, central heating and electrical installations to achieve compliance with the Scottish Housing Quality Standard. In terms of health and safety at work legislation the Council must assess and manage the risks from asbestos in premises and inform anyone who is likely to disturb it about the location and condition of the material.

The Council has already surveyed a significant proportion of the housing stock and an asbestos register containing the relevant information for each of these properties is available for inspection by any contractor. The remaining stock requires to be surveyed in advance of agreed capital programmes of work being implemented. The approved budget for the proposed inspections is £400,000 and tender documents will be prepared based on this figure. The Council's Standing Orders Relating to Contracts and Contract Procedures specify that the relevant Service Committee must approve contracts for services over £150,000 prior to inviting tenders.

The Executive agreed to approve the placement of an advert in the European Journal for the Provision of Asbestos Surveys by means of a Framework Agreement for one year with two individual year extensions, as set out in the report.

12. Saltcoats: 39 Sidney Street (Ground Floor Left)

Submitted report by the Corporate Director (Property Services) on the proposed serving of a Closing Order on the owner of the flat at 39 (ground floor left) Sidney Street, Saltcoats.

An inspection of the property revealed it to be below the Tolerable Standard as defined by Section 86 of the Housing (Scotland) Act. The Council has power to serve a Closing Order in terms of Section 114 of the Housing (Scotland) Act to prevent the property being occupied until such time as it is brought up to standard.

The Executive agreed that a Closing Order be served on the owner of the property at 39 (ground floor left) Sidney Street, Saltcoats, due to the condition of the property.

The Meeting ended at 3.45 p.m.