



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

Audit and Scrutiny Committee

A Meeting of the **Audit and Scrutiny Committee** of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Tuesday, 09 January 2018** at **14:00** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

1 Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2 Call In: Reinstatement of School Transport for Cumbrae Pupils – Largs Ferry

Submit report by the Chief Executive on a Call In Request received in respect of the decision taken by Cabinet at its meeting on 12 December 2017 in relation to not providing transport arrangements for Cumbrae pupils from the Largs ferry slipway to the new Largs Academy.

3 Urgent Items

Any other items which the Chair considers to be urgent.

Audit and Scrutiny Committee Sederunt

Marie Burns (Chair)
Margaret George (Vice Chair)
Joy Brahim
Alan Hill
Tom Marshall
Donald Reid
John Sweeney

Chair:

Apologies:

Attending:

NORTH AYRSHIRE COUNCIL

9 January 2018

Audit and Scrutiny Committee

Title: **Call In: Reinstatement of School Transport for Cumbrae Pupils – Largs Ferry**

Purpose: To allow the Committee to consider a Call In Request in respect of the decision taken by Cabinet at its meeting on 12 December 2017 in relation to not providing transport arrangements for Cumbrae pupils from the Largs ferry slipway to the new Largs Academy.

Recommendation: That the Committee considers the terms of the Call In and agrees, or otherwise, to make a recommendation to the Cabinet.

1. Executive Summary

- 1.1 In terms of the Scheme of Administration (Section 24), the Audit and Scrutiny Committee has a remit to consider Call in Requests and invite at least one of the Members who has requested the reference to Call In to attend the Committee to explain the request.
- 1.2 This report sets out the background to the Call In Request in respect of the decision taken by Cabinet at its meeting on 12 December 2017 relating to the report on Reinstatement of School Transport for Cumbrae Pupils – Largs Ferry Terminal to New Largs Academy.

2. Background

- 2.1 The Cabinet, at its meeting on 12 December 2017, considered a report on the Reinstatement of School Transport for Cumbrae Pupils – Largs Ferry Terminal to New Largs Academy.
- 2.3 A request was received in terms of the Call In procedure set out in the Council's Scheme of Administration and Standing Orders, that the Audit and Scrutiny Committee examine the decision taken by the Cabinet.

- 2.4 The Call In request, which was signed by Councillors Ferguson, Gallacher and Stephen, is in the following terms:-

Reason for Call In

There was a commitment made to ensure the safe transportation of Island children when the Junior Secondary School closed in the 70's ever since Cumbrae pupils have been transported by bus from Largs Ferry Terminal to Largs Academy.

The children live more than 3 miles in total from Largs Academy.

Island parents were promised this service would run when the new school opened.

Finally, Cabinet agreed on the same day to put children and young people at the heart of everything the Council does – I would argue that this is contradictory policy if there is no bus provision for the children and young people of Cumbrae.

Desired Outcome

I would like to see that the promises which have been made by the Council to the parents of Cumbrae are honoured and ensure that there is a bus provided from Largs ferry slip to the new Largs Academy when it is opened for the children and young people of Cumbrae.

- 2.5 A copy of the original report presented to the Cabinet on 12 December 2017 is attached as an appendix to the report.
- 2.6 The Call In Request is valid for consideration by the Committee. The request was received within the appropriate timescale, it was signed by three Elected Members and details were provided on both the reason for the Call In and the desired outcome.
- 2.7 The Elected Members who have submitted the Call In will be invited to address the Audit and Scrutiny Committee to explain the Call In Request. The appropriate Cabinet Member, accompanied by senior officers, will then be invited to clarify the reasons for the decision. The Committee will have an opportunity to ask questions of both parties and of those officers in attendance.
- 2.8 The Committee will then debate the Call In Request and decide whether or not it agrees with the decision of the Cabinet.

2.9 Where the Committee does not agree with the decision of the Cabinet, the matter will be referred to the next meeting of the Cabinet with recommendations from the Audit and Scrutiny Committee for alternative action. The Audit and Scrutiny Committee therefore has to:-

- i) decide if it agrees or not with the decision of the Cabinet; and
- ii) consider what alternative action the Committee would recommend to the Cabinet if it does not agree with the decision.

2.10 When the matter is considered by the Cabinet, the Chairperson or another member of the Audit and Scrutiny Committee will have the right to attend the Cabinet and speak in support of any recommendation.

2.11 In the event the Cabinet declines to accept the recommendation from the Audit and Scrutiny Committee, the matter will be referred to the next ordinary meeting of the Council for determination. The decision of the Council will be final.

3. Proposals

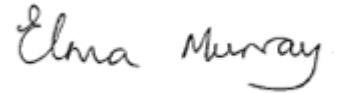
3.1 It is proposed that the Committee considers the Call In Request.

4. Implications

Financial:	None arising from this report.
Human Resources:	None arising from this report.
Legal:	None arising from this report.
Equality:	None arising from this report.
Environmental & Sustainability:	None arising from this report.
Key Priorities:	None arising from this report.
Community Benefits:	None arising from this report.

5. Consultation

5.1 No further consultation has been undertaken in compiling this report.

A handwritten signature in black ink that reads "Elma Murray". The signature is written in a cursive style with a horizontal line underneath the name.

Elma Murray
Chief Executive

For further information please contact **Angela Little, Committee Services Officer** on **01292 324132**.

Background Papers

Cabinet report appended

NORTH AYRSHIRE COUNCIL

Agenda Item 5

12 December 2017

Cabinet

Title: **Reinstatement of School Transport for Cumbrae Pupils – Largs Ferry Terminal to new Largs Academy**

Purpose: Cabinet consider the content of the report and make a decision on the travel arrangements of Cumbrae pupils travelling to Largs Academy.

Recommendation: That Cabinet a) notes the content of the report and b) agree not to reinstate the transport arrangements for Cumbrae pupils from the Largs ferry slipway to the new Largs Academy.

1. Executive Summary

- 1.1 As part of the Council's budget process in 2010/11, it was agreed to terminate the Largs Ferry terminal to Largs Academy free school transport contract, saving the Council approximately £40,000 per year. This service ceased in August 2011 and affected approximately 50 young people.
- 1.2 A Cabinet paper, 10 March 2015, on the outcome of the Statutory Public Consultation on the proposed new Largs Campus included a proposal to reinstate the free school transport for Cumbrae pupils taking them from the Largs ferry terminal to the new Campus from April 2018. This was approved by Cabinet.
- 1.3 In September 2017 the Executive Director for Education and Youth Employment met with local members from the North Coast and Cumbrae to discuss the proposal to reinstate the service. The local members supported this proposal.
- 1.4 The financial implication to the Council for reinstating the Cumbrae pupils' mainland transport is in the region of £40,000 per year.

2. Background

- 2.1 Within the framework of North Ayrshire's current policy and in line with Section 51 (1) of the Education (Scotland) Act, the local authority has a statutory obligation to provide transport for school pupils for the whole or **part of a journey** between the pupils' home and the school that they attend, as long as the pupil does not have to walk more than specified under Section 42 (4) of this Act. For a secondary pupil this is three miles.

- 2.2 Currently the Cumbrae pupils are transported from Millport to the Cumbrae ferry terminal and take the ferry to the mainland. This arrangement will not be affected.

On arriving at the Largs slipway, pupils currently make their own way to Largs Academy. This is a distance of 0.59 miles. If the decision is made not to reinstate the mainland transport the anticipated walking distance between the ferry terminal and the new Campus will be approximately 1 mile depending on the route taken by the pupils. This is still well within the walking distance of three miles for secondary pupils.

- 2.3 It should be noted that in many cases pupils living in Largs are currently walking greater distances to get to school.
- 2.4 Following the meeting with the Executive Director for Education and Youth Employment and the North Coast and Cumbrae local members a communication was issued to the Cumbrae parents. The letter was issued in September 2017, and advised that the mainland transport service would be reinstated from the point of occupying the new school in April 2018. The letter also noted that this arrangement would be reviewed within the first full academic year at which point a decision would be taken about the feasibility of continuing with the service.

2.5 Education and Youth Employment noted potential areas of challenge should the decision be made to reinstate the mainland transport arrangements. These are as follows:

- Other young people within the Largs area walk greater distances and are not considered for and do not receive free school transport;
- The financial implication going forward equates to approximately £40,000 per year;
- There is a risk that inequality issues may be raised by other parents with young people walking greater distances. This may have wider consequences across the Authority and could result in a change of policy and result in a request for continuity across all localities.

3. Proposals

3.1 Due to the financial constraints faced by the Authority and equity of provision it is proposed that the mainland school transport provision for Cumbrae pupils is not reinstated in April 2018.

4. Implications

Financial:	<p>Whilst the impact of reinstating the transport for approximately 50 – 60 pupils will cost the Council in the region of £40,000 per year the wider implication could affect the whole authority.</p> <p>As part of the Garnock Community Campus Planning, a paper was submitted to Cabinet in November 2016 outlining the implications for providing a school bus service within the Garnock Valley to the new Campus. Concerns were raised by parents about the distances pupils had to walk to the new Campus, but all were within the statutory three mile limit.</p> <p>At that time the Transport Hub advised that there were 2088 pupils meeting the qualifying distance criteria for free school transport within North Ayrshire. If there was any change to policy or a precedent set and the entitlement criteria was overruled, it could result in approximately 15,900 pupils being entitled to transport. At that time this equated to an additional annual cost of £9,000,000 to the Council. The Cabinet decision was not to provide transport for those pupils who had to walk less than three miles from the Garnock Campus.</p>
Human Resources:	<p>Any arrangement for transport will need to be tendered and managed by the Transport Hub.</p>

Legal:	Any proposals to change policy would need to be approved at Cabinet. The reinstatement of the mainland transport is contrary to the National statutory requirement on free school transport.
Equality:	If the Council decide to reinstate the mainland transport for Cumbrae pupils walking up to a mile to the new Campus, there is a risk that this could be challenged not only by local parents but could have wider implications across the Authority for pupils walking similar distances.
Environmental & Sustainability:	There are no implications relating to this paper.
Key Priorities:	By making infrastructure improvements to the walking and cycling routes to the new Campus the Council are supporting all of our people to stay safe, healthy and active.
Community Benefits:	The improvements to the walking and cycling routes and identified pathways will provide benefit to the wider community.

5. Consultation

5.1 Consultation has taken place with the Transport Hub, Roads and PMI in the preparation of this paper.



JOHN BUTCHER
Executive Director (Education and Youth Employment)

Reference : JB/DR/JN

For further information please contact John Butcher, Executive Director on 01294 324411

Background Papers