

Cabinet
26 February 2013

May 2007 - April 2011

IRVINE, 26 February 2013 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Signed Stamp : No

Present

Willie Gibson, Alan Hill, Marie Burns, Anthea Dickson, John Ferguson, Tony Gurney and Alex McLean, for Education Business, M. Fraser, E. Higon and Very Reverend M. Canon McManus (Church Representatives), G. Smith (Teaching Representative) and D. Hawthorn and N. McDonald (Pupil Representatives).

Also Present

Alex Gallagher and Peter McNamara.

In Attendance

E. Murray, Chief Executive; C. Kirk, Corporate Director, M. Armstrong, Head of Service Development, M. Docherty, Head of Education (3-18), L. Crone, Headteacher (Ardeer Primary School) and F. Rodman, Quality Improvement Officer (Education and Skills); I. Colvin, Corporate Director and O. Clayton, Head of Community Care and Housing (Social Services and Health); L. Friel, Corporate Director, G. Macgregor, Head of HR and Organisational Development and T. Reaney, Procurement Manager (Finance and Corporate Support); C. Hatton, Corporate Director (Development and Environment), K. Yeomans, Head of Development Planning, J. Smith, Senior Manager, Development Planning and A. Laurenson, Team Manager (Regeneration); K. Dyson, Communications Officer and M. Anderson, Committee Services Officer (Chief Executive's Service).

Also In Attendance

L. Kelly, Head of Policy, Greater Glasgow and Clyde Health Board.

Chair

Councillor Gibson in the Chair.

Apologies for Absence

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The accuracy of the Minutes of the previous meeting of the Committee held on 29 January 2013 and the Special Meeting held of 30 January 2013 was agreed and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Flexibility of P2/P3 Class Size

Submitted report by Corporate Director (Education and Skills) on flexibility in respect of class size maxima at P2/P3 level.

Current Scottish Government legislation provides for statutory maximum class sizes of 25 pupils in Primary 1 and 30 pupils in each of Primary 2 and Primary 3. The Council has adopted a policy further limiting the maximum pupil numbers in Primary 2 and 3 classes to 25. This arrangement has worked well in most cases, but there have been occasions where the existing policy has resulted in capacity issues within primary schools.

Section 2 of the report set out some options available to overcome accommodation issues. The report recommended that, in exceptional circumstances, the Corporate Director (Education and Skills) be given delegated authority to allow a temporary increase in the class size maxima for certain Primary 2 and/or Primary 3 classes at particular schools. The requirement to operate within the Scottish Government's statutory class size maxima would remain.

Members asked questions, and received clarification, on the frequency with which it might be necessary to increase class sizes. Members received assurances that the authority to increase class sizes temporarily would be exercised only infrequently, in exceptional circumstances.

The Cabinet agreed that the Corporate Director (Education and Skills) be given delegated authority to increase class sizes at P2/P3 level beyond the levels set by current Council policy, such powers to be limited in their use to extenuating circumstances only.

4. Vision for the Future of Education in North Ayrshire

Submitted report by Corporate Director (Education and Skills) on the outcome of the visionary exercise undertaken by the Attainment and Achievement Policy Board.

The Education Attainment and Achievement Policy Board identified that there should be a shared long-term vision for Education in North Ayrshire. All Members were invited to a workshop to identify and prioritise key areas. The outcome was subsequently discussed by the Policy Board and shared with headteachers, Parent Council representatives and the Youth Council. The proposed vision was set out at Appendix 1 to the report.

The Cabinet agreed to approve the vision set out at Appendix 1 of the report.

5. School and Nursery Inspections within North Ayrshire Council during the period January - December 2012

Submitted report by Corporate Director (Education and Skills) on the outcomes of inspection activity within Dalry and Brisbane Primary Schools and Brisbane Nursery Class in June 2012.

As part of their ongoing work, Her Majesty's Inspectors from Education Scotland, sample a range of secondary, special, primary and nursery education. The North Ayrshire schools and early years establishments inspected during this period were outlined at Appendix 1 to the report and the evaluations were provided at Appendix 2. The inspection reports arising from the inspections were discussed fully at the Dalry and Garnock Valley and West Kilbride Area Committee and North Coast Area Committee.

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

- the value of presenting more detailed information on the outcome of inspections to the relevant Area Committee; and
- action to improve on the "Good" rating received by Brisbane Primary School for "Meeting Learning Needs".

Noted.

6. Cross Boundary Pre-School Education Places

Submitted report by Corporate Director (Education and Skills) on the current position concerning cross boundary pre-school education places.

In February 2012, the former Education Executive agreed that, for session 2012/13, the funding for free Early Years Education and Childcare would follow the child, such that, if a parent in North Ayrshire wished to attend an Early Years Centre in another authority for valid work or childcare reasons, then the funding would be paid to the partner centre in the other authority. The table at Section 2.8 outlined any charges to North Ayrshire, based on whether or not a reciprocal agreement with North Ayrshire continues to exist. The table at Section 2.10 detailed the number of children resident in another local authority area who access a place in North Ayrshire from August 2012 to December 2012.

The report proposed that, pending further national guidance, reciprocal arrangements continue with neighbouring authorities, where possible, and arrangements for accepting children from non-reciprocating authorities be further developed.

Members asked questions, and received clarification, on the number of authorities in Scotland which no longer have in place reciprocal arrangements.

The Cabinet agreed to approve the continuation of the ongoing interim procedures for cross boundary pre-school education places, pending the issue of further national guidance.

7. Education and Skills Validated Self-Evaluation (VSE)

Submitted report by Corporate Director (Education and Skills) on the Validated Self-Evaluation undertaken by the Council and Education Scotland.

Validated Self-Evaluation (VSE) is a voluntary process of engagement between education authorities and Education Scotland that focuses on the quality of self-evaluation leading to improved outcomes for learners. On 2 August 2011, the former Education Executive agreed to undertake a Validated Self-Evaluation to examine the key themes within Education and Skills set out at Section 1.2 of the report.

The self-evaluation activity undertaken by the three thematic groups has now been completed. Education Scotland has produced a report which assesses the quality of self-evaluation, captures key strengths, capacity for improvement and areas for further development, as set out at Appendices 1-4. The key strengths identified within the Education Scotland report and the areas for further development, were summarised at Sections 2.2 and 2.3 of the report. The areas for further development have been built into the Service Plan for 2013/14 and improvements against the actions will be reported to the Cabinet in February 2014.

Members asked questions, and received clarification, on the time-consuming nature of the VSE exercise and the benefits arising from it.

The Cabinet agreed (a) to note the Validated Self-Evaluation; and (b) that the Corporate Director (Education and Skills) submit a report to the Cabinet in February 2014 on progress in respect of the areas for development.

8. Building Sustainable Learning Communities

Submitted report by Corporate Director (Education and Skills) on the restructuring of the Quality Improvement Service and the move to an integrated area based self-improving system approach to quality improvement.

The report proposed that 6.5 FTE quality improvement officer posts, together with the quality improvement manager post, be deleted and replaced with 4 locality focused senior managers, who will take a lead role in quality improvement, raising attainment and developing neighbourhood approaches in collaboration with Community Planning Partners. This proposal will generate a saving of £242,000 and is line with 2013/14 budget decisions.

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

- the size of the St. Matthew's cluster; and
- the importance of seeking to better manage the transition from Primary School to Secondary School in terms of curriculum continuity.

The Cabinet agreed (a) to approve the implementation of the proposals, to delete 6.5 FTE quality improvement officer posts and the quality improvement manager post and replace them with 4 locality focused senior managers; and (b) that the Corporate Director (Education and Skills) consider what additional support may be required for the St. Matthew's cluster.

9. Largs Car Park - Proposed Increase in Parking Charges

Submitted report by Chief Executive on an increase in the charge for the use of Largs Seafront Car Park, recommended by the North Coast Area Committee.

The revenue arising from charges levied at the Largs Seafront Car Park, less operating costs, is utilised to support local initiatives. The current charge of £2.00 per day for parking in Largs Seafront Car Park has remained static for a number of years and does not reflect rates charged at similar facilities in other areas. A rise in the charge for parking would increase the number and/or the extent of initiatives funded annually.

At its meeting held on 7 February 2013, the North Coast Area Committee considered a report by the Corporate Director (Development and Environment) on a proposed increase in the charge levied to park in Largs Seafront Car Park and agreed to recommend to the Cabinet an increase in the fee to £3.00 per day, or part thereof, with effect from 1 April 2013.

The Cabinet agreed to (a) approve an increase in the daily rate for Largs Car Park, from £2.00 per day to £3.00; and (b) note the arrangements for publicising the change.

10. Irvine Enterprise Area

Submitted report by Corporate Director (Development and Environment) on the activities at the Irvine Enterprise Area since its designation and on the preparation of a Business Plan.

Four Enterprise Areas (EAs) or Sectors have been designated by the Scottish Government, including a 'Life Sciences' EA for sites in Irvine, Moray, Highlands, Edinburgh and Midlothian. Appendix 1 illustrated the extent of the Irvine Life Sciences Enterprise Area and the availability of incentives in terms of Enhanced Capital Allowances and Business Rates relief.

The report provided an update of activity in relation to the Irvine Enterprise Area, including details of the incentives offered, the preparation of the Business Plan set out at Appendix 2 and confirmation of governance arrangements.

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

- how the skills support work referred to in Section 4 of the Business Plan related to the wider approach to addressing skills shortages;
- the value of increasing the frequency with which the Advisory Board meets;
- the resource being offered by Scottish Enterprise on a project by project basis;
- the breakdown of Management and Promotion costs referred to at Section 2.2 of the Business Plan; and
- the role of GSK on the Advisory Board.

The Cabinet agreed (a) to note the content of the Irvine Enterprise Area Business Plan and the implementation work, as set out at Appendix 2 and within the report; (b) to approve the proposals to develop and market the Irvine Enterprise Area as set out in the Business Plan; (c) to assign responsibility for the implementation of the Business Plan to the Irvine Bay Regeneration Company to be managed through the Irvine Bay Board and Delivery Team, supported by an Advisory Board consisting of an Elected Member, Senior Officers and key external stakeholders; (d) to recommend to Council that the Economy and Employment Portfolio-holder be appointed to the Advisory Board; (e) that annual updates on the implementation of the Business Plan be submitted to the Cabinet; (f) that the Corporate Director (Education and Skills) submit a report to the Economy and Employment Policy Board on the wider approach to skills support; and (g) that further information be provided to Members on the breakdown of Management and Promotion costs referred to at Section 2.2 of the Business Plan.

11. Demolition Order - Craigspark Farm, Craigspark, Ardrossan

Submitted report by Corporate Director (Finance and Corporate Support) on the condition of the above property at Craigspark Farm, Craigspark, Ardrossan and seek approval to serve a Demolition Order.

Under Section 115 of the Housing (Scotland) Act 1987, North Ayrshire Council retains the statutory authority to serve Demolition Orders where properties fail to meet the recognised tolerable standard. On inspection, at the request of the owner, the property at Craigspark Farm was found to be in very poor condition, with penetrating dampness throughout the property and was deemed to be below the Tolerable Standard as defined by Section 86 of the Housing (Scotland) Act 1987.

The Cabinet agreed, given the condition of the property at Craigspark Farm, Craigspark, Ardrossan, to approve the serving of a Demolition Order in terms of Section 115 of the Housing (Scotland) Act 1987.

12. Flood Risk Management (Scotland) Act 2009: Update

Submitted report by Corporate Director (Development and Environment) on progress with the implementation of the Council's response to the statutory obligations within the Flood Risk Management (Scotland) Act 2009.

Appendices 1 and 2 to the report contained a letter from the Scottish Government on the Act and a work plan for its implementation, respectively. A Minute of Agreement, set out at Appendix 3, has been prepared by all participating authorities establishing the roles, responsibilities and funding arrangements for the joint arrangements for the Local Plan District (LPD) partnership. The FRM Action Plan was set out at Appendix 4.

Section 2 of the report provided information on a number of studies and surveys being progressed across North Ayrshire to investigate proactively known flood risk areas and to seek solutions to flood risks in various communities.

The Cabinet agreed (a) to note the progress in taking forward the requirements of the FRM Act; (b) to note the Minute of Agreement set out at Appendix 3, which proposes to create a Local Plan District Steering Group, Project Management Group and Project Teams; and (c) to recommend to Council that the Portfolio Holder for the Environment be the Council's representative on the Steering Group; and (d) that a Senior Officer be appointed to the Project Management Group and Project Teams.

13. Operational Review: Ayrshire Joint Planning Unit (AJPU)

Submitted report by Corporate Director (Development and Environment) on the findings of the operational review of the Ayrshire Joint Planning Unit (AJPU) by Officers of the three Ayrshire Councils, and to seek agreement of the next steps.

Officers undertook an operational review during 2012 to establish whether the AJPU remained the best model for joint working on planning matters for the three Councils, following the impact of legislative changes, the agreement of a previous Voluntary Early Retirement (VER) request of one member of staff, and a further application for VER from another staff member. The 3 options considered as part of the review were highlighted at Section 2.3 of the report. Option 2 (disbanding the unit and allowing the team members to return to their employing Councils) was recommended as offering the best value in terms of generating savings, while retaining each Council's ability to discharge key functions.

The Cabinet agreed (a) to disband the Ayrshire Joint Planning Unit; and (b) that a report be submitted to a future meeting of the Cabinet on (i) the resources required to deliver the statutory functions previously undertaken by the Ayrshire Joint Planning Unit and (ii) the opportunities for joint working to progress any cross-boundary matters.

14. Review of Planning Fees

Submitted report by Corporate Director (Development and Environment) on the Scottish Government's proposal to increase planning fees by 20% in April 2013.

If approved, the draft Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Amendment Regulations 2013 would result in an increase in planning application fees by approximately 20% from April 2013. The Local Government and Planning Minister has stated that "The increase is designed to allow authorities to improve performance, while keeping overall planning fees in Scotland lower than the English equivalent."

The existing scale of fees was attached at Appendix 1 to the report. Historic fee income over the 2 year period (2010-12) is approximately £410,000 per annum. A 20% increase would, therefore, realise additional fee income of £82,000 annually. The report proposed the creation of a new post of Graduate Planner to increase the Council's capacity to response to the expected performance improvements, provide succession planning within the service, and create local employment and development opportunity.

The Cabinet agreed (a) to note the increase in planning fees proposed by the Local Government and Planning Minister; (b) subject to the increase receiving the support of Scottish Government, to approve the creation of a new post of Graduate Planner; and (c) that any surplus income be considered as part of the Council's future budget setting exercise.

15. Kilbirnie Conservation Area Regeneration Scheme

Submitted report by Corporate Director (Development and Environment) on the award of funding from Historic Scotland towards a Conservation Area Regeneration Scheme for Kilbirnie.

At its meeting on 21 August 2012, the Cabinet approved the submission of a bid to Historic Scotland for a Conservation Area Regeneration Scheme (CARS) in Kilbirnie. Following the success of the bid, an award of £500,000 has been made available by Historic Scotland over a 5-year period starting in April 2013, supplemented by a contribution of £500,000 by the Council, and contributions from private property owners. The focus of the CARS will be the improvement of the built environment and public realm within the Kilbirnie Conservation Area, with the Knox Institute and Walker Hall as priority buildings. The main components of the CARS and indicative budget costs were set out at Section 2.3 of the report.

Members asked questions, and received clarification, on the importance of undertaking separate work in relation to the future use of key buildings.

The Cabinet agreed to (a) note the success of the bid and proposed next steps; and (b) delegate consideration of the formal bid criteria to the Corporate Director (Development and Environment) and the Head of Democratic and Administration Services.

16. Residual Waste Treatment

Submitted report by Corporate Director (Development and Environment) on the progress in securing long-term treatment facilities for residual waste.

The respective partner Councils (North Lanarkshire, Renfrewshire, East Renfrewshire, East Dumbartonshire and this Council) have all confirmed agreement to the Inter-Authority Agreement to procure a long-term solution for the treatment of residual waste with the Clyde Valley Partnership. It is anticipated that the Partner Councils will require facilities to treat 190,000 tonnes of residual waste per annum, of which North Ayrshire Council will contribute 34,000 tonnes.

The procurement exercise will utilise the EU Competitive Dialogue process. A project timetable was set out in a table at Section 2.3 of the report and culminates with a target service commencement date of December 2019.

Noted.

17. Joint Commissioning Strategy for Older People - 10-Year Vision for Joint Services

Submitted report by Corporate Director (Social Services and Health) on the Joint Commissioning Strategy for Older People and the Pan Ayrshire 10-year Joint Commissioning Vision.

The 10-Year Vision for Joint Services - Reshaping Care for Older People is now in draft form and was set out at Appendix 1 to the report. It will be circulated as part of the extensive communication and engagement exercise which will continue until the end of February 2013. Appendix 2 to the report contained the Council's 3-year plan for 2008-11, the key priorities of which were highlighted at Section 2.11. The report also identified the following key priorities for the next 18 months:-

- reducing hospital and care home unplanned admissions;
- falls prevention and management;
- maximising recovery in the community;
- increasing support for unpaid carers;
- medicine Review;
- a Neighbourhood Planning Approach to utilise community assets;
- developing care home resource as part of a neighbourhood planning approach; and
- improving engagement with Primary Care, particularly GPs.

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

- the benefits of a neighbourhood planning approach in the delivery of support for older people; and
- the need to seek to raise public awareness of positive examples of the delivery of care locally.

Noted.

18. Responding to Demographic Change in North Ayrshire

Submitted report by Chief Executive on demographic trends affecting North Ayrshire.

In October 2012, the Economy and Employment Policy Board considered the paper contained at Appendix 1 to the report, on "Responding to Demographic Change". The Board agreed that further research should be carried out in terms of the key drivers for population decline and migration to and from North Ayrshire, and that the paper should be submitted to the Cabinet with a recommendation that the Council should seek to increase the population of North Ayrshire.

Since the report was compiled, the first results from the 2011 Census have been published. This shows that the total population of North Ayrshire was 138,000, a slight improvement on previously published Scottish Government Mid Year Population Estimates. However, the analysis contained within the report remains accurate in as much as population is still forecast to decline significantly in the medium/long term and the structure of the population will change with increases in older age groups offset by falls in the number of young people.

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

- the need to attract working and skilled people to North Ayrshire, to increase the economically active proportion of the population; and
- the importance of ensuring that the Council's policies aim to encourage an increase in the number of economically active people within North Ayrshire.
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Noted.

19. Redstone Avenue, Kilwinning: Appointment of Contractor

Submitted report by Corporate Director (Social Services and Health) on the award of a construction contract for the development of 46 new general and particular needs housing at Redstone Avenue, Kilwinning.

Eight Contractor tenders were submitted and the three lowest tenders evaluated, as detailed at Appendix 1 to the report. Following all revisions, McTaggart Construction Ltd was identified as the organisation which submitted the lowest tender, citing construction contract costs of £4,816,600. This indicates an overall saving of £55,000 on the forecast budget requirement for this project. The report sought approval to retain this saving in the Council house building fund, to be used as funding for future projects.

The Cabinet agreed (a) to award of the construction contract, at a value of £4,816,600, to McTaggart Construction Ltd, for the construction of 46 new general and particular needs housing at Redstone Avenue, Kilwinning; and (b) that any savings realised through the tendering process be retained within the Council house building fund, to be used as funding for future building projects.

20. Modern Apprenticeship Training Providers

Submitted report by Corporate Director (Finance and Corporate Support) on a proposal to invite tenders from training providers to support the expansion of the Modern Apprenticeship programme.

Following the expansion of the Modern Apprenticeship (MA) programme, the Council requires to procure external support for the provision of training to modern apprentices. The required formal tendering exercise would be for a 3-year contract period, with the option to extend for up to 2 years. The maximum annual budget for this external training provision is £60,000 (£180,000 over initial period of contract) and would be part-subsidised by Skills Development Scotland.

The Cabinet agreed to approve the issuing of a formal tender to support the expansion of the Modern Apprenticeship programme.

21. Home Care Management System - Tender Outcome

Submitted report by Corporate Director (Finance and Corporate Support) on the results of the tender for a Home Care Management System and present a recommendation for award of contract.

A detailed specification was developed for a Home Care Management System and a formal tendering exercise undertaken on the basis of a 3-year contract commencing on 1 March 2013, with an option to extend for a further 5 years. Three bids were received and analysed, with further clarification obtained where required and scores determined against previously published evaluation criteria and weightings.

A tender outcome report and award recommendation was provided at Appendix 1 to the report. It was proposed that Care Monitoring 2000 is awarded the contract. The estimated total value of the overall contract (including any potential extensions) is £631,040. One off capital costs account for £53,600 of this with annual revenue costs of

£72,180 thereafter. Funds have been set aside in the Change Fund to meet the capital cost, recurring costs will be met from efficiency savings.

Members asked questions, and received clarification, on the selection process in terms of quality over cost.

The Cabinet agreed to award the Home Care Management System contract to Care Monitoring 2000 as it achieved the best overall score based on the criteria and weightings.

22. Framework Agreements for External Wall Insulation (EWI)

Submitted report by Corporate Director (Finance and Corporate Support) to undertake a tender exercise to put in place framework agreements for the supply and installation of external wall insulation systems (EWI).

The Council has a requirement to put in place a contractual arrangement for the supply and installation of EWI. The annual value will be in the range of £2m-£3m (inclusive of external grant funding) for a period of 4 years. The Council currently has a framework agreement in place to undertake EWI works up to an annual value of £1 million. In order to be able to undertake works of a larger scale, framework agreements will require to be procured in accordance with EU procurement directives.

The report proposed that the contract requirements are advertised as a restricted tender on the basis of a three year framework agreement with the option to extend for a further one year thereafter. The work to be undertaken in year one of the contract would be awarded to the most economically advantageous tender. Future years would be awarded on the basis of annual mini competitions and awarded to the lowest priced submission.

The Cabinet agreed to approve the commencement of a tender exercise to put in place framework agreements for EWI.

23. Contract for Gas Maintenance

Submitted report by Corporate Director (Finance and Corporate Support) on a tender exercise to put in place a contract for gas maintenance (including emergency breakdown installations).

The Council has an ongoing requirement to have in place a contractual arrangement for gas maintenance (including emergency breakdown installation) within Council housing stock. The annual value of the contract is estimated to be £1.5m. The contract with the existing provider, Saltire, is now in its final extension period and new contract arrangements require to be in place by November 2013.

The report proposed a 2-stage open tender process on the basis of a 3-year term contract with the option of two additional 12 month extensions. The first stage will be a robust pre-qualification questionnaire. The second stage of the contract will assess which contractor is most economically advantageous.

The Cabinet agreed to approve the commencement of a tender exercise to put in place a contract for gas maintenance, including emergency breakdown installations.

24. South West Hub Territory Partnering Board : Minutes of the Meeting held on 20 December 2012

Submitted report by Corporate Director (Finance and Corporate Support) on the Minutes of the Meeting of the South West Hub Territory Partnering Board held on 20 December 2012.

Noted.

25. Health and Social Care Policy Board : Minutes of Meeting held on 21 January 2013

Submitted report by Corporate Director (Social Services and Health) on the Minutes of the Health and Social Care Policy Board held on 21 January 2013.

Noted.

26. Finance and Corporate Support Policy Board : Minutes of Meeting held on 21 January 2013

Submitted report by Corporate Director (Finance and Corporate Support) the Minutes of the Meeting of the Finance and Corporate Support Policy Board held on 21 January 2013.

Noted.

27. Education Attainment and Achievement Policy Board: Minutes of Meeting held on 28 January 2013

Submitted report by Corporate Director (Education and Skills) on the Minutes of the Meeting of the Education Attainment and Achievement Policy Board held on 28 January 2013.

Noted.

28. Environment and Infrastructure and Economy and Employment Joint Policy Board : Minutes of Meeting held on 4 February 2013

Submitted report by Corporate Director (Development and Environment) on the Minutes of the Environment and Infrastructure and Economy and Employment Policy Board held on 4 February 2013.

Noted.

The meeting ended at 4.05 p.m.