

Cabinet
20 June 2017

IRVINE, 20 June 2017 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Joe Cullinane, John Bell, Alex Gallagher, Louise McPhater, Jim Montgomerie, Robert Foster, Very Reverend Matthew Canon McManus, (Church Representative), Elizabeth Higon (Church Representative), Gordon Smith (Teaching Representative), Arran McDonald and David Dunlop (Youth Representatives).

Also Present

Councillors Christina Larsen and Timothy Billings

In Attendance

E. Murray, Chief Executive; J. Butcher, Executive Director (Education and Youth Employment) C. Hatton, Executive Director, Y. Baulk, Head of Service (Physical Environment), R. McCutcheon, Head of Service (Commercial) D.Hammond, Senior Manager (Place); L. Friel, Executive Director, F. Walker, Head of Service (People and Transformation), J. Hamilton, Employment Services Manager and M. McTeague, Team Manager (Finance and Corporate Support); K. Yeomans, Executive Director, C. McAuley, Head of Service (Economic Growth), A. Sutton, Head of Connected Communities, L. Kirk, Active Travel and Transport Manager, E. Troup, Regeneration Manager and J. Adam, Regeneration Manager (Economy and Communities); S. Brown, Interim Director (Health and Social Care Partnership); A. Fraser, Head of Democratic Services, A.Todd, Senior Policy & Performance Officer, M. Sudgen, Communications Officer, E. Gray, Committee Services Support Officer and H. Clancy, Committee Services Support Officer (Chief Executive's Service).

Also In Attendance

B. Calderwood (Arran Community Council)

Chair

Councillor Cullinane in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The accuracy of the Minutes of the meeting held on 23 May 2017 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Lay Representatives on Cabinet (Education)

Submitted report by the Chief Executive on the progress in terms of lay representative appointments to serve on the Cabinet when it meets to consider Education Authority business.

The Cabinet agreed to (i) approve, with immediate effect, the nomination of Gordon Smith by the Local Negotiating Committee for Teachers as its non-voting teacher representative on the Cabinet when it considers Education Authority business; (ii) note that the Executive Director (Education and Youth Employment) will identify two young people (one male, one female) on a meeting-by-meeting basis, to serve as non-voting pupil representatives on the Cabinet when it considers Education Authority business; and (iii) note that a public notice has been published seeking nominations from local denominational groups to fill the third Church representative position, with such nominations to be reported to the Cabinet for consideration at its next meeting.

4. INSIGHT School Leavers' Attainment Results 2016

Submitted report and received presentation by the Executive Director (Education and Youth Employment) on the overall performance of the 2016 North Ayrshire Council school leavers as highlighted in the INSIGHT benchmarking tool.

Members asked questions and were provided with further information in relation to:-

- school leavers in SIMD decile 10 performing lower than the national average; and
- the calculation of the average total tariff score.

The Cabinet agreed to (i) note the content of the report and the achievements of school leavers in last year's SQA examinations; and (ii) approve the measures being taken to make further improvements to the attainment and achievement of future school leavers.

5. Cross Boundary Agreement for Early Learning and Childcare Places

Submitted report by Executive Director (Education and Youth Employment) on the proposed protocol for cross boundary early learning and childcare places.

Members asked a question and were provided with clarification on early learning and childcare funding being provided from a local authority where a child does not reside. This does not automatically entitle the child to attend primary education in that area and a placement request would be required.

The Cabinet agreed to approve the protocol for cross boundary early learning and childcare places.

6. Initial Destinations of Senior Phase School Leavers 2015/2016

Submitted report by the Executive Director (Education and Youth Employment) on the latest statistical information about North Ayrshire school leavers from the School Leaver Destination Return.

Members asked a question and were provided with further information in relation to Skills Development Scotland link in with higher and further education establishments and The Department for Work and Pensions to track school leavers after they have left school.

The Executive Director (Education and Youth Employment) undertook to provide Members with a breakdown of care leavers.

The Cabinet agreed to (i) note the information set out in the School Leaver Destination Report; (ii) note the continued development of the Data Hub, its related statistical information (Annual Participation Measure) and (iii) to agree to the ongoing development work to enhance outcomes for young people that will result in initial positive destinations being sustained.

7. Urgent Item - Educational Governance Review

The Executive Director (Education and Youth Employment) gave a verbal update on the Educational Governance Review. The reforms will be set out in a statutory charter for head teachers and will include responsibility for raising attainment and closing the poverty related gap in schools, recruitment of staff and choosing the school management structure, deciding the curriculum content, within a broad national framework and direct control over more school funding, with a consultation on fair funding being launched. Local Authorities will keep responsibility for Additional Support Needs and Early Learning.

Members asked a question and were provided with further information in relation to the possibility of increased salary due to the increased responsibilities for head teachers.

Noted.

8. Chartered Institute of Public Finance and Accountancy (CIPFA) Report Recommendations

Submitted report by the Executive Director (Education and Youth Employment) on the CIPFA Report Recommendations.

The Cabinet agreed to approve that CIPFA should be further contracted to assist North Ayrshire Council in the pursuance of potential savings that may exist within the North Ayrshire Schools PPP Contract.

9. Petition: Arran Toilets

Please note - this item has been call-in by Elected Members and will be heard by the Scrutiny & Petitions Committee on 22 August 2017. No action can be taken meantime.

Submitted report by the Chief Executive on the outcome of consideration by the Audit and Scrutiny Committee of a petition in relation to Arran toilets.

Bill Calderwood, Arran Community Council, expressed the view that the toilets are a valued part of the infrastructure that are much appreciated by the large number of visitors to Arran and the strength of feeling has been well reflected in the petition which has approx 4000 signatures. He advised that not every community will have income generating opportunities, premises or other funding sources to cover the costs associated in providing these facilities where recognising the budget restrictions which the council has to deal with, he submitted that the council should recognise a basic need in locations with high visitor demands. He referred to Lamlash and Brodick being key visitor destinations with Brodick carrying the highest day tripper numbers but that neither of these villages have funds to complete the repairs required to make these facilities useable and therefore declined the offer from NAC in January. He advised that if there are now funds available for repairs NAC could review the budget allocation to allow further negotiations to be concluded to arrive at a sustainable approach to maintaining these key services and a small reduction off the top line from the Community Investment Fund could be allocated to cover these ongoing annual costs and still leave £3m available as intended for the Participatory Budget allocation for each locality partnership.

Bill Calderwood asked the Committee to (i) reopen the facilities in advance of the major visitor influx; (ii) pro-actively work with the communities to develop a sustainable operating model; and (iii) create an ongoing strategy/policy document which helps NAC deliver on their stated aim of "focussing on what our customers and communities need and delivering that effectively, efficiently and creatively.

The Head of Service (Physical Environment) provided information on the closure of the public toilets referred to the progress of arrangements for the asset transfer with six out of the nine toilets on Arran.

The Cabinet agreed to make no change to the decision of Council on 17 February 2016 and to support the continued work between Facilities Management, Connected Communities and the local community groups on Arran.

10. End of year 2016/17 Progress Reports - Council Plan/Directorate Plans

Submitted report by the Chief Executive on the progress of the Council Plan 2015/20 and Directorate Plans 2015/18 as at 31 March 2017.

The Cabinet agreed to (a) approve the progress made in implementing the Council Plan 2015/20, (b) approve the revised set of Council measures for 2017/18, (c) approve the performance of all Directorates as at 31 March 2017 against the priorities in the 2015/18 Directorate Plans; and (d) refer the Council Plan and Directorate Plan Performance Reports for the consideration of the Audit and Scrutiny Committee on the 22 August 2017.

11. Maximising Attendance Performance – 2016/17 year end summary

Submitted report by the Executive Director (Finance and Corporate Support) on the year end summary of sickness absence for 2016/17.

Members asked a question and were provided with clarification on the 5,473 occurrences of sickness absence that took place during 2016/2017, 1,055 (19.3%) of which were long term while 4,418 (80.7%) were short term.

Noted.

12. Active Travel and Transport External Funding 2017/18

Submitted report by the Executive Director (Economy and Communities) on the acceptance of grant offers to allow the implementation of projects to improve active travel and transport.

The Cabinet agreed to (a) approve the acceptance and expenditure of the grant offers as detailed at Appendix 2; (b) approve the acceptance and expenditure of the outstanding grant offer if successful; and (c) receive a further report on the proposed projects and associated funding applications for 2018/19.

13. Planning Performance Framework

Submitted report by the Executive Director (Economy and Communities) on the Planning Performance Framework 6 for publication and submission to Scottish Government.

The Cabinet agreed to approve the content of the Planning Performance Framework 6 (Appendix 1); its submission to Scottish Government and its publication as a PDF on the Council website.

14. Ayrshire Growth Deal

Submitted report by the Executive Director (Economy and Communities) on the development of the Ayrshire Growth Deal and seek approval for funding the Programme Management Office and related projects.

The Cabinet agreed to approve the allocation of £200k to support the continued development of an Ayrshire Growth Deal.

15. Tax Incremental Finance

Submitted report by the Executive Director (Economy and Communities) on the outcome of a bid to the Scottish Government for Tax Incremental Finance pilot project status for investment in Irvine Enterprise Area.

The Cabinet agreed to (a) note the successful bid to Scottish Government for Tax Incremental Finance Pilot Project status for investment in Irvine Enterprise Area; and, (b) the further development of a detailed business case for approval by Cabinet prior to its submission to Scottish Government by 31st August 2017.

16. Community Asset Transfer Application: Garnock Rugby Club

Submitted report by the Executive Director (Economy and Communities) on an application by Garnock Rugby Club to seek ownership or a long lease of the grounds currently leased to them at Kilbirnie Lochshore.

Members asked questions and were provided with further information in relation to:-

- if ownership or long lease would be the better option for Garnock Rugby Club; and
- the subsidence issues encountered by the previous club and reassurance that the appropriate ground work is carried out.

The Cabinet agreed to approve in principle the transfer or long lease of ground at Garnock Rugby Club, as delineated in the appended map, subject to the satisfactory conclusion of Stage 4 of the North Ayrshire Council asset transfer process to agree the terms and conditions of lease or prospective purchase.

17. Community Asset Transfer Application: Skelmorlie Community Sports Club (SCIO)

Submitted report by the Executive Director (Economy and Communities) on the application by Skelmorlie Community Sports Club to secure a long lease of the grounds adjacent to Skelmorlie Primary School, Innes Park Road, Skelmorlie.

The Cabinet agreed to approve the transfer of the ground to the Skelmorlie Community Sports Club (SCIO), within the terms of a long lease, as delineated in the appended map (Appendix 1), and within the terms of the North Ayrshire Council Asset Transfer Policy.

18. Revised Public Realm Improvements Associated with Largs Masterplan

Submitted report by the Executive Director (Economy and Communities) on the outcome of a public consultation on the Largs Public Realm Project.

The Cabinet agreed to approve a revised proposal for expenditure that reflects the comments received through the public consultation.

19. Largs Promenade Sea Wall Repairs

Submitted report by the Executive Director (Place) on the sea wall repairs required at Largs promenade.

Members asked a question and were provided with clarification that the £100k expenditure for 17/18 financial year will come from the capital fund.

The Cabinet agreed to (a) note the requirement to carry out extensive sea wall repairs at the Largs sea front promenade and (b) agree that the allocation of required capital funds will be considered as part of the development of the Council's capital investment programme.

20. Housing Revenue Account Rent Structure Review

Submitted report by the Executive Director (Place) on the Housing Revenue Account rent structure.

The Cabinet agreed that the Executive Director (Place) will develop revised rent structure options and undertake a formal consultation process with tenants, with a further report to Cabinet summarising the options and consultation feedback in Autumn 2017.

21. Scottish Government Consultation: Energy Efficiency and Condition Standards in Private Rented Housing

Submit report by the Executive Director (Place) on North Ayrshire Council's response to the Scottish Government Consultation on Energy Efficiency and Condition Standards in Private Rented Housing.

The Cabinet agreed to approve the draft consultation response at Appendix 2 for submission to the Scottish Government.

22. District Heating Proposals for Irvine

Submitted report by the Executive Director (Place) on the results of a feasibility study considering the establishment of a core district heating network in Irvine, and to seek approval to proceed with the planned next steps for the project.

Members asked questions and were provided with further information in relation to:-

- costs associated with installing a sprinkler system in the high-rise properties in North Ayrshire;
- energy generated will be supplied back to Cunninghame House to reduce what is taken from the grid.

The Cabinet agreed to the outcomes of the feasibility study being developed into a detailed investment grade business case.

23. Award of Contract - Overcladding and Re-roofing, Auchenhavrie Academy, Saltcoats

Submit report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Design & Build Contract for Overcladding and Re-roofing, Auchenhavrie Academy, Saltcoats.

Members asked a question and were provided with clarification that the cladding used will be of the appropriate quality standard.

The Cabinet agreed to approve the award of the contract to D&B Facades UK Limited.

24. Urgent Item - North Ayrshire High-Rise Properties

The Executive Director (Place) gave a verbal update on the high-rise properties in North Ayrshire that were all immediately checked after the Grenfell Tower tragedy. The key differences between Grenfell Tower and our high rise properties are they do not share the same type of cladding, and there is no gas supply to any of our high rise properties.

Scottish Fire and Rescue Service conduct quarterly inspections of all our residential high rise building and this is in addition to our own maintenance and inspection regimes which include fire alarms, fire-fighting equipment and electrical circuits. The fire and smoke alarms of our our high rise properties are monitored by a 24 hour a day, 365 day a year concierge service. All communal areas are covered by this system and if any alarm is triggered in a individual property this is also relayed to the concierge who will call the emergency services if there is no response from the dwelling.

Members asked questions and were provided with further information in relation to:-

- possibility of a sprinkler system being installed at the same time as the heating system change;
- building standards that North Ayrshire Council adhere to with all residential and commercial buildings; and
- cladding of our properties was carried out in accordance with the applicable building standards.

Noted.

EXEMPT INFORMATION

25. Exclusion of the Public

Cabinet resolved in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following items of business on the grounds indicated in terms of Paragraphs 9 and 3 of Part 1 of Schedule 7A of the Act.

25.1 Strategic Property Acquisition, Irvine

Submitted report by the Executive Director (Economy and Communities) on an update on Irvine Town Centre

The Cabinet agreed to the Strategic Property proposal as detailed in the report.

25.2 Social Work Complaints Review Committee - Mr G

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting of 16 May 2017

The Cabinet agreed the recommendations of the Social Work Complaints Review Committee in relation to the complaint.

25.3 Social Work Complaints Review Committee - Mr F

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting of 29 May 2017

The Cabinet agreed not uphold any part of the complaint.

The meeting ended at 5.15 p.m.