



Cunninghame House,
Irvine.

8 September 2016

Cabinet

You are requested to attend a Meeting of the Cabinet of North Ayrshire Council to be held in the Council Chambers, Cunninghame House, Irvine on **TUESDAY 13 SEPTEMBER 2016** at **2.30 p.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

1. Declarations of Interest

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

2. Minutes (Page 5)

Submit for noting the Minutes of the meeting of the Cabinet held on 16 August 2016 (copy enclosed).

GENERAL BUSINESS FOR DECISION

Reports by the Chief Executive

3. Child Poverty Bill for Scotland (Page 9)

Submit report by the Chief Executive on the response to the Scottish Government's consultation on a Child Poverty Bill for Scotland (copy enclosed).

4. North Ayrshire Council Youth Champion (Page 17)

Submit report by the Chief Executive on the appointment of the Youth Champion for North Ayrshire Council (copy enclosed).

Reports by the Executive Director (Place)

5. Management of Asbestos in Weir Properties (Page 21)

Submit report by the Executive Director (Place) on the proposed strategy for managing asbestos in the Council's Weir properties (copy enclosed).

CONTRACTS

6. Award of Contract - Leachate Removal and Disposal at Shewalton Landfill (Page 29)

Submit report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Framework Agreement for Leachate Removal and Disposal at Shewalton Landfill and seek approval to award (copy enclosed).

7. Urgent Items

Any other items which the Chair considers to be urgent.

Cabinet

Sederunt: **Elected Members**

Joe Cullinane (Chair)
John Bell (Vice-Chair)
Alex Gallagher
Peter McNamara
Louise McPhater
Jim Montgomerie

Chair:

Attending:

Apologies:

Meeting Ended:

Cabinet
16 August 2016

IRVINE, 16 August 2016 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Alan Hill, John Bruce, Marie Burns, Anthea Dickson and Tony Gurney.

In Attendance

E. Murray, Chief Executive; C. McAuley, Head of Service (Economic Growth) and G. Robson, Senior Employability and Skills Manager (Economy and Communities); L. Friel, Executive Director and A. Lyndon, Team Manager (Corporate Procurement) (Finance and Corporate Support); M. Gilmour, Senior Communications Officer (Media and Internal Communications) and D. McCaw, Committee Services Officer (Chief Executive's).

Chair

Councillor Hill in the Chair.

Apologies for Absence

Willie Gibson.

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 21 June 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Consultation on Apprenticeship Levy and the call for evidence as part of the review of Enterprise Development and Skills Agencies

Submitted report by the Executive Director (Economy and Communities) on the responses to the consultation on the Apprenticeship Levy and the call for evidence in relation to the review of Enterprise and Skills Agencies, which were detailed in the Appendices to the report.

The Cabinet was advised that in the fourth bullet point within section 2.6 of the report the text should end with the word "Scotland" and that remainder of the text should be deleted as it was duplication from the next page.

The Cabinet agreed to approve the responses for submission to Government as detailed in the Appendices to the report.

4. Award of Contract - Framework Agreement for the supply and delivery of quality fresh fruit and vegetables

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Framework Agreement for the supply and delivery of quality fresh fruit and vegetables, salad ingredients and prepared fruit and vegetables, to Council locations across North Ayrshire (including the Island of Arran), East Ayrshire and Inverclyde.

The Cabinet agreed to approve the award of the Framework Agreement (Lot 5) to George Carruthers and Sons for an initial period of three years with an option to extend for up to one year, at an anticipated annual spend cost of £187,000 to North Ayrshire Council.

5. Award of Contract - Framework Agreement for the provision of Day Education Services for Children with Additional Support Needs

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Framework Agreement for the provision of Day Education Services for Children with Additional Support Needs and seek approval to award.

The Cabinet agreed to approve the award of the Framework Agreement to Ardfarn, Aspire, Common Thread, CrossReach, Mirren Park Ltd, Spark of Genius and the National Autistic Society for an initial period of two years with an option to extend for up to two further periods of one year at a cost of £4,428,000 over the maximum duration of the framework.

6. Award of Contract - Nursery Extension to Loudoun Montgomery Primary School, Irvine

Submit report by the Executive Director (Finance and Corporate Support) on the tender exercise for the contract for a Nursery Extension to Loudoun Montgomery Primary School, Irvine.

The Cabinet agreed to approve the award of the contract to Fleming Buildings Ltd.

7. Exclusion of the Public

The 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 Paragraph 9 of Part 1 of Schedule 7A of the Act.

7.1 Social Work Complaint Review Committee: Social Work Complaints Review Committee: Complaint by Mrs R

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting held on 30 June 2016.

The Cabinet agreed (a) to uphold the complaint; (b) that the Chief Executive provide a further written apology to Mrs R; and (c) that the report should also be referred to the Integration Joint Board for their information.

7.2 Social Work Complaint Review Committee: Social Work Complaints Review Committee: Complaint by Mr B and Ms C

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting held on 15 July 2016.

The Cabinet agreed to accept the Committee's recommendations to (a) not uphold areas 1, 2 and 4 of the complaint; (b) partially uphold area 3 of the complaint; (c) uphold area 5 of the complaint; and (d) request that the Partnership (i) examine file management practices and version control of correspondence; and (ii) undertake a review of the systems in place to ensure the minutes of meetings/Case Conferences are circulated to all relevant parties within 15 calendar days as per the National Guidance for Child Protection in Scotland.

The meeting ended at 2.55 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

13 September 2016

Cabinet

Title:	Child Poverty Bill for Scotland
Purpose:	To advise on a response to the Scottish Government's consultation on a Child Poverty Bill for Scotland
Recommendation:	To agree to approve the draft response to the Child Poverty Bill at Appendix 1

1. Executive Summary

- 1.1 The Scottish Government is seeking views on its Child Poverty Bill which sets out in legislation its ambition to eradicate child poverty, to reinstate income based poverty targets, and to place a duty on Scottish Ministers to develop a delivery plan. The Cabinet's approval is sought to a response to the Bill (Appendix 1) which broadly welcomes its proposals and highlights some of the challenges involved.

2. Background

- 2.1 The Scottish Government has issued a consultation on a Child Poverty Bill for Scotland which it intends to introduce in early 2017. Comments are sought on the Bill by 30 September 2016.
- 2.2 The UK Government announced its intention to repeal parts of the Child Poverty Act 2010, including child poverty targets based on income, through the Welfare Reform and Work Bill. The Scottish Government obtained amendments to opt out of this legislation and is now bringing forward its own proposals for tackling and measuring child poverty.

- 2.3 It has published a Bill to set out its proposals to eradicate child poverty including:
- Enshrining in legislation its ambition to eradicate child poverty.
 - Reinstating statutory income-based targets to reduce the number of children living in poverty.
 - Placing a duty on Scottish Ministers to develop a Child Poverty Delivery Plan and to report annually on their progress
- 2.4 The Bill highlights that one in five children live in poverty in Scotland. Children from the poorest families are less likely to get qualifications, to get a job or to go to university. In North Ayrshire it is estimated that one in four children live in poverty (End Child Poverty Campaign report, 2014). The proposals in this Bill, together with a range of other strategic initiatives, should assist in tackling this complex issue

3. Proposals

- 3.1 A draft response to the ten consultation questions in the Bill is attached at Appendix 1. The response welcomes the Bill's ambition to eradicate child poverty and to make income targets statutory. It highlights that this cannot be achieved through legislation alone and needs to be complemented by the wider strategic context.
- 3.2 The Bill seeks views on the role of the Ministerial Advisory Group on Child Poverty. It is suggested that strengthening links between the Ministerial Advisory Group and local Boards such as North Ayrshire's Fair for All Board may assist. It is also proposed that the Ministerial Advisory Group could have a role in developing ways of receiving reports on and ensuring that best practice in tackling child poverty is shared and replicated more widely across Scotland.
- 3.3 The retention of income targets is supported as they are recognised and understood. In setting targets to reduce poverty by 2030, the impact of welfare reform will need to be taken into account as this compounds child poverty.
- 3.4 The Bill proposes that impact be measured using the following income targets:
1. Relative poverty: the percentage of children living in households with equivalised, net incomes of less than 60% UK median household income, in the same year.
 2. Absolute poverty: the percentage of children living in households with equivalised, net incomes of less than 60% of UK median household income, in the base year (2010/11), adjusted for inflation.

3. Combined low income and material deprivation: the percentage of children living in low income households that lack certain basic necessities. Low income here is defined as an equivalised, net household income of less than 70% of the UK median household income.
4. Persistent poverty: the percentage of children living in a household in relative poverty for at least three years out of a four-year period.

4. Implications

Financial:	No direct implications
Human Resources:	No direct implications
Legal:	No direct implications
Equality:	No direct implications
Environmental & Sustainability:	No direct implications
Key Priorities:	The Child Poverty Bill's ambition to eradicate Child Poverty has implications for the SOA's outcome - "Children's health and wellbeing is improved by breaking the cycle of poverty, inequality and poor outcomes".
Community Benefits:	No direct implications

5. Consultation

- 5.1 There has been consultation on this report with the Chief Executive. A report on the response was by the Integration Joint Board on 8 September 2016



ELMA MURRAY
Chief Executive

Reference : EM/SM/as

For further information please contact Elma Murray, Chief Executive on Ext. 4124

Background Papers

None

Consultation on a Child Poverty Bill for Scotland

North Ayrshire's Response

1. Do you agree with the Scottish Government including in statute an ambition to eradicate child poverty?

The ambition to eradicate child poverty will surely be universally welcomed. Indeed, much of the recent legislative and policy developments will undoubtedly impact positively on children living in poverty. The expansion of early years provision and ongoing work around the Attainment Challenge are just two examples of this.

It is crucial that the introduction of additional legislation specifically around child poverty takes cognisance of the wider context. A Child Poverty Act cannot, in and of itself, eradicate child poverty, and it will be important to ensure that such an Act not only complements the wider policy context but brings additionality to the existing legislative suite.

2. What are your views on making income targets statutory?

Making income targets statutory ensures a driver for change and improvement. Arguably, embedding the targets in statute also ensures that the issue remains at the forefront of the national psyche and can be used to hold Government to account when targets are not met.

3. How do you think the role of the Ministerial Advisory Group on Child Poverty can be developed to ensure that they play a key role in developing the legislation?

The key to the Ministerial Advisory Group is ensuring that the membership remains relevant and contemporary and contains the necessary expertise to advise on what is undoubtedly a complex issue. It would also be important that terms of reference are revised to ensure that the Group is given a key role from the outset in developing the legislation.

The Group could also be used to maximise engagement with other stakeholders and have responsibilities beyond the introduction of any Act to review and monitor progress.

North Ayrshire CPP has established a Fair for All Board comprising key advisors on inequalities and it is responsible for progressing our inequalities pledges. Strengthening links between the Ministerial Advisory Group and local Boards of this nature could assist them in their role.

The Fair for All Board will develop the improvement measures outlined in the Inequality strategy and will link to the National Improvement Framework as a measure of the wellbeing of our communities.

4. How can links between the national strategy and local implementation be improved? What could local partners do to contribute to meeting these national goals? This might include reporting and sharing best practice or developing new strategic approaches.

North Ayrshire Council and wider Community Planning Partners have been actively working to reduce inequalities at a local level and improve children's outcomes. This work is embedded in our local planning arrangements and progress reported on in a variety of ways. Our new Locality Partnerships will provide a means of targeting inequalities at a micro level. This approach will allow for the development of bespoke localised responses as appropriate.

The aspiration to eradicate child poverty will require an integrated and concerted effort and legislation may need to consider the responsibilities of individual CPPs in relation to delivering on the agenda and also reporting on progress.

A potential role for the Ministerial Advisory Group could be to hear evidence relating to best practice, ensuring that such examples are grounded in research and can evidence impact. Furthermore, the Advisory Group could have a role in developing ways of ensuring that best practice is shared and replicated more widely across Scotland as appropriate.

5. What are your views on the income-based measures of poverty proposed for Scottish child poverty targets? For example, are there any additional income-based measures you think we should also use (and if so, why)? Are there any alternative approaches to measuring income – for example, as used in other countries – that you think could apply in Scotland?

The four income-based indicators are all now well-established and it is recognised that they complement one another to provide a better overall measure of poverty. Given they are recognised and generally understood and accepted, it would make sense to continue to use these measures. In addition, the continuity of sticking with these measures allows us to move forward with key baseline information.

6. What are your views on the Scottish Government's proposals for the levels of child poverty that the targets will be set at?

The Scottish Government's proposed targets are, undoubtedly, set at ambitious levels. Nevertheless, the aspiration to eradicate child poverty will never be realised without this level of ambition. In North Ayrshire such targets will be hugely difficult to achieve given the current levels of child poverty.

The impact of welfare reform has had a significant and adverse impact on a number of families and has, undoubtedly, compounded the issue of child poverty. It would be important therefore to ensure that as the newly devolved powers in relation to Social Security are reviewed, this is not done in isolation from the child poverty agenda.

7. What are your views on the Scottish Government's proposal to set targets on an *after housing costs* basis? For example, are there any disadvantages to this approach that we have not already considered?

'After Housing Costs' (AHC) has long been recognised as providing a more accurate measurement of the extent of poverty than 'before housing costs' (BHC). Housing costs are obviously essential and can be hugely significant. In order to ensure that we are able to measure the disposable spend available to families accurately, then AHC has to be the preferred measure, fully accepting that this makes the targets being proposed even more ambitious.

In its Children's Services Plan 2016-20 Performance Framework North Ayrshire's CPP has included the percentage of children living in poverty **after housing costs** as one of its measures.

The disadvantages of measuring poverty after housing costs are outlined in the consultation document and, as long as these are understood, they fall far short of outweighing the advantages.

8. What are your views on the Scottish Government's proposal to set targets that are expected to be achieved by 2030?

Given the ambitious level at which Government is proposing setting targets, and given also that AHC is likely to be the preferred measure, 2030 would seem a reasonable timeframe for achievement. The setting of targets and the date by which we aim to achieve those targets, needs to take cognisance of the scale of the challenge. The World Bank report on Inclusive Growth for example states clearly that it is 'important to recognise the time lag between reforms and outcomes' and that a longer term perspective is crucial. (Ianchovichina & Lundstrom, 2009)

Nevertheless, the danger of such an expansive timeframe could be that momentum to achieve can be more difficult to muster particularly given that the politicians, professionals and experts involved in setting the targets are likely to have changed considerably by 2030. It would be worth considering interim targets that helps ensure more immediacy of effort.

9. What are your views on the proposal that Scottish Ministers will be required to produce a Child Poverty Delivery Plan every five years, and to report on this Plan annually?

This approach is welcomed and should ensure that progress is closely and regularly monitored. The Delivery Plan will be a crucial document in ensuring that there is a clear route map outlining how we move from the current situation to where we need to be by 2030.

10. Do you have any suggestions for how the measurement framework could usefully be improved? For example, are there any influencing factors that are not covered by the measurement framework? Or are there any additional indicators that could be added?

The current framework with its themes of 'Pockets, Prospects and Places' is supported. Indeed, the approach has been used within North Ayrshire as a framework to review progress at a local level.

Given that education remains arguably the single most significant route out of poverty, it may be useful to develop a measure that allows us to compare children's educational performance against previous parental performance. Such a measure may be too complex to establish but would be a useful indicator of progress.

NORTH AYRSHIRE COUNCIL

Agenda Item 4

13 September 2016

Cabinet

Title: **North Ayrshire Council Youth Champion**

Purpose: To appoint a Youth Champion for North Ayrshire Council.

Recommendation: To agree to appoint a Youth Champion for North Ayrshire Council.

1. Executive Summary

- 1.1 This report seeks the appointment by North Ayrshire Council of a Youth Champion.

2. Background

- 2.1 The role of Youth Champion is intended to support the work of North Ayrshire's Youth Council Executive, to provide young people in North Ayrshire with a greater say in the way the Council operates and to provide Council with greater knowledge of issues involving children and young people. Its duties are:-
- To engage with young people across North Ayrshire,
 - Support projects and events aimed at young people,
 - Raise awareness of young peoples' needs and issues,
 - Work with young people to develop policies which effect them,
 - Inform young people about Council decisions.
- 2.2 The previous Champion, Councillor Ruth Maguire was appointed by the then Leader at the Joint Meeting of Cabinet and North Ayrshire Youth Council Executive Committee on 4 December 2012. The post has been vacant since Councillor Maguire's resignation from the Council.

- 2.3 Strictly speaking neither the Leader nor the Youth Council have powers to appoint any post to act on behalf of the Council. Other Champions, such as the Carers Champion and the Armed Forces Champion have been appointed by Committee. With the increasing profile of the Youth Champion's role it is now preferable that this appointment is made in a more formal and transparent manner. As the post of Youth Champion does not have any formal powers delegated to it and is not a member of a Committee, appointment of this post is a matter for Cabinet rather than Council.

3. Proposals

- 3.1 It is recommended that Cabinet appoint Councillor Peter McNamara as Youth Champion.

4. Implications

Financial:	There are no financial implications.
Human Resources:	There are no human resource implications.
Legal:	There are no legal implications.
Equality:	The appointment of a Youth Champion supports the Council's equalities work by creating greater awareness of issues relating to age.
Environmental & Sustainability:	There are no environmental or sustainability implications.
Key Priorities:	The appointment supports the strategic priorities of ensuring people have the right skills for learning, life and work and supporting all of our people to stay healthy and active which underpins delivery of the Council Plan priorities.
Community Benefits:	There are no community benefit implications

5. Consultation

5.1 There have been no consultations.

A handwritten signature in black ink that reads "Elma Murray". The signature is written in a cursive, flowing style.

ELMA MURRAY
Chief Executive

Reference : AF/jm

For further information please contact Andrew Fraser, Head of Democratic Services on 01294 324125

Background Papers

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NORTH AYRSHIRE COUNCIL

Agenda Item 5

13 September 2016

Cabinet

Title: **Management of Asbestos in Weir Properties**

Purpose: To seek Cabinet approval of the proposed strategy for managing asbestos in the Council's Weir properties.

Recommendation: That Cabinet approves the proposed strategy for managing asbestos in the Council's Weir properties.

1. Executive Summary

- 1.1 North Ayrshire Council is a responsible landlord that places a high priority on the health and well-being of its tenants, with Asbestos Management Guidance in place to ensure the effective management of any asbestos containing materials throughout its entire property portfolio, including 13,000 domestic properties.
- 1.2 The policy and any emerging works are managed by the Council in accordance with the Control of Asbestos Regulations, 2012. There is also guidance in the tenants' handbook relating to the management of asbestos in Council homes.
- 1.3 While carrying out surveys as part of routine asbestos management procedures, asbestos containing materials were recently identified in a number of loft spaces. It is anticipated that this issue may affect a further number of properties, all of which are of Weir house type construction. These properties are understood to have been constructed in the 1950s and 1960s and represent approximately 5% of the housing stock.
- 1.4 Due to the location and nature of the asbestos containing material identified to date, it is proposed that a programme of inspection and removal is progressed on the remaining Weir properties over the next few months.

- 1.5 The Council has obtained independent advice from an expert in the field of asbestos management regarding our planned response, which has confirmed that there is an extremely low risk to tenants' health and that the actions taken to date and the proposed further actions outlined in this Cabinet paper exceed our landlord obligations. The planned approach is also supported by NHS Ayrshire and Arran's Public Health department.

2. Background

- 2.1 The on-going management of asbestos in our Council houses is carried out by Property Management and Investment (PMI), supported by colleagues in Building Services. PMI currently manage a housing stock of 13108 properties, of which 275 are new build homes. PMI hold asbestos management surveys for 98.7% of the remaining housing stock built prior to 1999 when asbestos ceased to be used in the construction industry; the remaining 170 will be undertaken as part of the continuing programme of surveys. This is in line with best practice and benchmarks well against other councils' approaches.
- 2.2 Asbestos management surveys (previously known as "type 2" surveys) have historically been, and continue to be, carried out by the United Kingdom Accreditation Service (UKAS) accredited asbestos surveying companies on the Council's behalf.
- 2.3 The surveys are updated following certain events to ensure they remain current:
- As required, following inspection when properties become void;
 - Following any planned maintenance work (ie. kitchen / bathroom renewal programme); and
 - As a result of any asbestos removal works.
- 2.4 While carrying out routine void inspections earlier this year, a small amount of asbestos debris was identified in the loft space of two properties in Wheatley Road, Saltcoats. As a precaution, other Council properties of the same type in the street were surveyed to determine if this issue was common. During these surveys a water tank spray-coated with asbestos insulation was identified that had not been recorded by the company that undertook the previous surveys in 2009.
- 2.5 Although no further unrecorded tanks were identified, close inspection of the former tank locations in the remainder of the properties surveyed identified debris which was analysed and confirmed to be asbestos insulation debris.

- 2.6 This material is debris left behind from the removal of the water tanks within the properties. It is understood these tanks were removed as part of a heating replacement contract carried out in the 1990's, prior to the inception of North Ayrshire Council.
- 2.7 It is further understood that the methodology for the removal of the tanks would have been carried out in accordance with custom and practice at the time, but would not be acceptable under current legislation.
- 2.8 The debris is located around the plinths which would have supported the water tanks and in all cases identified to date the debris is covered by thick insulation. This is likely to encapsulate the material if undisturbed, but is not a suitable long-term strategy.
- 2.9 Asbestos removal works are on-going to remove all asbestos-containing materials identified as a result of these investigations.
- 2.10 The properties affected in Wheatley Road are Weir house types. This is a non-traditional house commonly constructed during the mid 1950s to early 1960s.
- 2.11 As a further precaution to test the validity of the existing survey information, sample surveys of the Council's remaining 620 Weir properties commenced on 5 Aug 2016, with letters issued to 117 tenants.
- 2.12 It was anticipated that the situation in Wheatley Road would be isolated to that street and as a result of the practice employed by a particular contractor when carrying out removal of the water tanks.
- 2.13 Results from the first tranche of surveys indicate that a significant number of Weir properties across North Ayrshire contain small quantities of asbestos-containing debris in the loft space, similar to the issues identified at Wheatley Road. Only one further tank has been identified in the properties resurveyed to date, however this had already been safely encapsulated in accordance with the Control of Asbestos Regulations, 2012.
- 2.14 As a result of these surveys, professional advice has been obtained from an independent expert in the field of asbestos management.
- 2.15 The advice received is that the Council has acted very quickly and responsibly in its actions taken to date and that the proposed programme for inspection and removal should proceed. This approach is also supported by NHS Ayrshire and Arran's Public Health department.

- 2.16 The independent expert has also confirmed that any risk to health as a result of exposure to this asbestos is extremely low and that it would only pose a risk through the inhalation of a significant quantity of air-borne fibres over a prolonged period.
- 2.17 The majority of the asbestos-containing material detected is located beneath insulation, is not easily accessible to tenants and is unlikely to be spread.
- 2.18 Despite this low risk, where asbestos is detected, the Council is obliged to manage the asbestos containing material. There are three options available to comply with the relevant legislation:
- Completely prevent access to loft spaces; and/or
 - Encapsulate any asbestos containing materials discovered; or
 - Remove the asbestos containing material and other materials which may be contaminated and cannot be sufficiently cleaned.
- 2.19 It is not considered reasonable to completely prevent access to loft spaces.
- 2.20 Encapsulation of the debris would be difficult to achieve in this instance due to its nature and location. Encapsulation of any tanks identified during the surveys would be possible and effective. However as a responsible landlord, to ensure no future issues arise as a result of the presence of this material and to address any concerns tenants may have, removal of all asbestos-containing debris and tanks identified during the inspection programme is proposed.
- 2.21 A programme of re-surveying will take place and will be carried out in as short a period as is reasonably practicable; it is estimated that this will take six weeks from the date of issuing the instruction to the contractor. Tenants will be able to remain in their homes while the survey work is being carried out - the survey will take 1-2 hours and cause minimal disruption. Reassurance air tests will be carried out in a number of homes to quality control the works and ensure that levels of fibres within properties are below the limit of detection, giving reassurance to tenants and the public.
- 2.22 The subsequent removal programme will also be carried out in as short a period as is reasonably practicable; this is estimated to be a further 8 weeks from the completion of the survey programme. During the removal works - which will take 1-2 days dependent on the extent of loft clearance required - tenants will have no access to the upper floor of the property during the working day and will therefore have no access to any bathroom facilities located upstairs. Depending on the location of the loft hatch, some tenants may also have limited access to accommodation on the ground floor.

2.23 It is proposed that letters are issued to the tenants of all Weir houses to:

- Advise that the lofts of their homes will require to be re-surveyed;
- Confirm that any asbestos containing materials discovered as a result of the surveys will subsequently be removed. As part of this process, items which it is not practical to thoroughly clean will require be removed and disposed of;
- Advise that any insulation removed as part of the works will be replaced;
- Reassure them there is extremely low risk to their health, even if they have accessed the loft spaces of their homes; and
- Request that, as precaution, they should not enter the loft in the meantime.

2.24 The Customer Contact Centre will be briefed to enable them to deal with any calls which may arise as a result of this matter.

3. Proposals

3.1 Cabinet is asked to:

- approve the proposed strategy for managing asbestos in the Council's Weir properties outlined in this report; and
- note that letters will be issued to all affected tenants prior to the commencement of the survey programme.

4. Implications

Financial:	The cost of undertaking a survey, removing any asbestos identified and replacing insulation is estimated to be a maximum of £3,000 per property. The total estimated cost of the removal programme will be confirmed on completion of the survey works and will require to be met from the contingency funds held within the Housing Revenue Account.
Human Resources:	There are no human resource implications arising from this report.
Legal:	The Council has acted in accordance with the Control of Asbestos Regulations 2012. The Health and Safety Executive have been notified of the asbestos removals in Wheatley Road; no issues have been raised to date.
Equality:	There are no equality implications arising from this report.
Environmental & Sustainability:	Insulation removed as part of the asbestos removal contract will be reinstated to preserve the environmental performance of the affected properties. All asbestos removals will be carried out by appropriately accredited contractors.
Key Priorities:	<p>The planned approach supports the following key priorities:</p> <ul style="list-style-type: none"> ● Supporting all of our people to stay safe, healthy and active; ● Protecting our environment for future generations
Community Benefits:	Not applicable.

5. Consultation

5.1 Various Council services have been involved in considering the response to this issue:

- Property Management and Investment
- Housing
- Building Services
- Health and Safety
- Insurance and Risk Management
- Corporate Communications
- Legal Services

5.2 Consultation with affected tenants has commenced and will continue.



CRAIG HATTON
Executive Director (Place)

Reference : YB/LC/RH

For further information please contact Laurence Cree, Senior Manager
Property Management and Investment on 01294 324463

Background Papers

N/A

NORTH AYRSHIRE COUNCIL

Agenda Item 6

13 September 2016

Cabinet

Title: **Award of Contract - Leachate Removal and Disposal at Shewalton Landfill**

Purpose: To advise Cabinet of the result of the tender exercise for the Framework Agreement for Leachate Removal and Disposal at Shewalton Landfill and seek approval to award.

Recommendation: Agree to approve the award of the contract to Scottish Water Horizons for an initial period of three years with an option to extend for up to one year.

1. Executive Summary

- 1.1 North Ayrshire Council has programmed to procure a contract for Leachate Removal and Disposal at Shewalton Landfill.
- 1.2 In order to comply with the Council's Standing Orders Relating to Contracts and Contract Procedure Rules and Public Contracts (Scotland) Regulations 2015 (SSI 2015/446) (as amended) a formal open procedure tendering exercise was undertaken.
- 1.3 Following the evaluation process, the recommendation of the Tender Evaluation Panel is that a contract is awarded to Scottish Water Horizons for an initial period of three years with an option to extend for up to one year.

2. Background

- 2.1 North Ayrshire Council published a formal contract notice on 25th May 2016 under the Open Procedure in the Official Journal of the European Union (2016/S 102-181528) and Public Contracts Scotland Procurement Portal and this was linked to an electronic tender on the Bravo E-Tendering System. The return date was 12:00 on 5th July 2016.
- 2.2 The contract notice attracted 9 expressions of interest from a range of potential service providers of which 3 submitted a response to the Invitation to Tender by the deadline and these were evaluated.

3. Proposals

- 3.1 The recommendation of the Tender Evaluation Panel is that the contract be awarded to Scottish Water Horizons at a total cost of £363,004 over the maximum duration of the Contract.

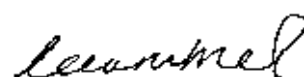
4. Implications

Financial:	<p>Prior to tender the total estimated value of the Contract including any possible extensions and based on historic usage was £392,000. A budget of £392,000 is available for this requirement with an annual budget of £98,000.</p> <p>The total value of the new contract (including any possible extensions) is £363,004 with annual expenditure is £90,751. This represents a total projected saving over the maximum duration of the contract of £28,996 or £7,249 per year.</p>
Human Resources:	None
Legal:	<p>The tender exercise has been undertaken in accordance with EU Procurement Directives, Public Contracts (Scotland) Regulations 2015 (SSI 2015/446) (as amended) and the Council's Standing Orders Relating to Contracts and Contract Procedure Rules for North Ayrshire Council.</p> <p>The services are to be provided in compliance with the Pollution Prevention and Control (Scotland) Amendment Regulations 2011 (as amended).</p>
Equality:	None
Environmental & Sustainability:	<p>Leachate removal and disposal services are required at the landfill site to allow the Council to comply with statutory obligations from the conditions stipulated in the site's Pollution, Prevention and Control (PPC) Permit regulated by the Scottish Environment Protection Agency (SEPA).</p>
Key Priorities:	<p>The Directorate Plan for 2016-17 details one of the key priorities as the continual development of the Shewalton Landfill site to enable continued capacity and compliance with the PPC permit.</p> <p>This contract is in line with this Directorate Plan and contributes to the long term objective of diverting waste from landfill and meeting the requirements of the zero waste regulations and national waste agenda.</p>

	<p>The contract will also assist Waste Resources to maintain service quality, improving efficient and responsive service to address local need.</p> <p>The contract supports the Council Plan 2015-2020 in particular the key priority of protecting and enhancing the environment for future generations.</p>
Community Benefits:	<p>The successful tenderer will deliver the following community benefits during the contract period:</p> <ul style="list-style-type: none"> ● 2 workshops either in a school in North Ayrshire or on-site linked to Curriculum for Excellence and relating to Science, Technical, Engineering or Maths (STEM). ● 2 workshops in a community group or youth group in North Ayrshire with a view to introducing/developing employability skills. ● 1 Programme of 5 career talks in North Ayrshire schools. ● 1 Support a programme of mock interviews for pupils (equal to 3 days input, not necessarily in the one school).

5. Consultation

- 5.1 Early consultation was undertaken with Zero Waste Scotland for market research.



LAURA FRIEL
Executive Director (Finance and Corporate Support)

Reference : NAC/1060

For further information please contact Anne Lyndon on 01204 324097

Background Papers

Tender Outcome Report