



NORTH AYRSHIRE
COUNCIL

Cunninghame House,
Irvine.

9 May 2013

Cabinet

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in the Council Chambers, Cunninghame House, Irvine on **TUESDAY 14 MAY 2013** 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 declarations of interest in respect of items of business on the Agenda.

2. Minutes (Page 7)

The Minutes of (a) the special meeting and (b) the ordinary meeting of the Committee held on 30 April 2013 will be signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

EDUCATION BUSINESS FOR DECISION

3. Call In and Petition: St. Luke's Primary School: Accommodation Pressures (Page 31)

Submit report by Chief Executive on the outcome of consideration by the Scrutiny and Petitions Committee of a Call In Request and Petition in relation to accommodation pressures at St. Luke's Primary School, Kilwinning (copy enclosed).

GENERAL BUSINESS FOR DECISION

4. Asset Management Plans - Update on Progress (Page 55)

Submit report by Corporate Director (Finance & Corporate Services) on developments in the management of Council assets during 2012/13 and the proposed workplan for 2013/14 (copy to enclosed).

5. The Future Provision of Burial Space (Page 101)

Submit report by Corporate Director (Development & Environment) on the proposed short and long term cemetery provision arrangements (copy enclosed).

6. Copeland Crescent and Kames Street Road Reinstatement (Page 105)

Submit report by Corporate Director (Social Services & Skills) on the use of uncommitted HRA balances to fund the reinstatement of the road at Copeland Crescent and Kames Street, Millport (copy enclosed).

7. Consultation Responses

7.1 Making Justice Work; The Courts Reform (Scotland) Bill (Page 109)

Submit report by Chief Executive on the details of the consultation paper and the Council's response to the Scottish Government (copy enclosed).

7.2 Scottish Government Consultation - Creating a New Food Body in Scotland (Page 129)

Submit report by Corporate Director (Development & Environment) on the consultation on the role of the new food body in Scotland and the Council's response to the Scottish Government (copy enclosed).

7.3 Food Standards Agency Consultation on New Proposed Enabling Primary Food and Feed Legislation Provisions Page 143)

Submit report by Corporate Director (Development & Environment) on the Council's response to the Food Standards Agency Consultation on New Proposed Enabling Primary Food and Feed Legislation Provisions (copy enclosed).

GENERAL BUSINESS FOR INFORMATION

8. Change Programme: Progress as at 31 March 2013 (Page 157)

Submit report by Chief Executive and receive presentation in relation to the Change Programme (copy enclosed).

9. Assurance and Improvement Plan 2013-16 (Page 167)

Submit report by Corporate Director (Finance & Corporate Support) on the Council's updated Assurance and Improvement Plan for 2013-16 (copy enclosed).

CONTRACT APPROVAL

- 10. Reuse, Recycling and Recovery of Bulky Waste (Page 197)**
Submit report by Corporate Director (Finance & Corporate Support) on the commencement of a formal tender exercise (copy enclosed).
- 11. Measured Term Contract 2013-16 : Gas Soundness and Repairs Including Boiler Servicing (Page 201)**
Submit report by Corporate Director (Finance & Corporate Support) to invite tenders for the procurement of a gas soundness and repairs contract including boiler servicing, testing and repairs (copy enclosed).
- 12. Measured Term Contract 2013-16 : Water Quality Management Service (Page 205)**
Submit report by Corporate Director (Finance & Corporate Support) to invite tenders for the procurement of a water quality management service (copy enclosed).
- 13. Measured Term Contract 2013-16 : Fire Alarms and Emergency Lighting (Page 209)**
Submit report by Corporate Director (Finance & Corporate Support) to invite tenders for the procurement of a measured term contract for Fire alarms and emergency lighting (copy enclosed).
- 14. Montrose House Replacement (Page 213)**
Submit report by Corporate Director (Finance & Corporate Services) on progress on the replacement of Montrose House care home (copy enclosed).

MINUTES FOR INFORMATION

- 15. Housing Revenue Account Business Plan Implementation Group: Minutes of meeting held on 26 February 2013 (Page 221)**
Submit report by Corporate Director (Social Services & Health) on the minutes of the meeting of the Housing Revenue Account Business Plan Implementation Group held on 26 February 2013 (copy enclosed).
- 16. South West Hub Territory Partnering Board: 7 March 2013 (Page 231)**
Submit report by Corporate Director (Finance & Corporate Support) on the minutes of the meeting held on 7 March 2013 (copy enclosed).
- 17. Urgent Items**
Any other items which the Chair considers to be urgent.

Cabinet

Sederunt: **Elected Members**

Willie Gibson (Chair)
Alan Hill (Vice-Chair)
John Bruce
Marie Burns
Anthea Dickson
Tony Gurney
Alex McLean

Chair:

Attending:

Church Representatives

Very Reverend Matthew Canon McManus
Ms Elizabeth H. Higon
Mr Mark Fraser

Apologies:

Teaching Representative

Mr Gordon Smith

Youth Council Representatives

to be advised

Meeting Ended:

Cabinet
30 April 2013

IRVINE, 30 April 2013 - At a special Meeting of the Cabinet of North Ayrshire Council at 10.00 a.m.

Present

Willie Gibson, Alan Hill, Marie Burns, Anthea Dickson and Alex McLean.

Also Present

Robert Steel.

In Attendance

E. Murray, Chief Executive; L. Friel, Corporate Director (Finance and Corporate Support); C. Kirk, Corporate Director, A Sutton, Head of Service (Community and Culture) and M. Docherty, Head of Education (3-18) (Education and Skills); C. Hatton, Corporate Director, R. McCutcheon, Head of Environment and Related Services and K. Yeomans, Head of Development Planning (Development and Environment); O. Clayton, Head of Community Care and Housing and L. Raeside, Head of Service Development (Social Services and Health); and K. Dyson, Communications Officer and M. Anderson, Committee Services Officer, (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Tony Gurney.

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. Service Plans 2013/14

Submitted report by the Chief Executive on Service Plans for the period 2013/14.

Services have produced their Service Plans for 2013/14 in accordance with the Service Planning and Budgeting Guidance. There are five Service Plans in total, as set out in the Appendices to the report.

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

Democratic and Administration Services

- the innovative platform now in place to deliver the Council's Communications Strategy;
- plans for the delivery of a more proactive service to Elected Members in terms of training and development;
- the rationale for the target of 95% for the completion of annual staff PDR/PPD interviews; and
- the independence of the Licensing Board.

Education and Skills

- Broad General Education;
- projects in support of minority and ethnic communities, details of which would be provided for Members' information by the Head of Community and Culture;
- the background to the increase in the number of participants accessing Community and Culture youth programmes;
- the reduction in the number of participants accessing Community and Culture information sessions and cultural events;
- partnership working and the inclusion of some partner data, where appropriate;
- the anticipated impact of the new leisure centre in Irvine on participant numbers; and
- issues associated with the deployment of supply teachers.

Social Services and Health

- the development of a strategy to tackle inequalities in North Ayrshire, including, but not limited to, health inequalities;
- budget issues surrounding the delivery of respite care;
- the level of risk associated with the failure of an independent care provider;
- the variation in the target for the percentage of staff with appropriate qualifications working in Council residential care for older people;
- the risks for Housing Services arising from Welfare Reform;
- the validity of the performance indicator relating to Community Wardens; and
- the timescale for the development of the Stevenson Institute site, Largs.

Finance and Infrastructure

- the need to consider the Modern Apprenticeship programme in the wider context of supporting young people;
- the background to the increase in staff numbers following restructuring;
- the ratings associated with identified risks;
- the transfer of staff resources associated with the corporate Change agenda; and
- measures to ensure future compliance with the Property Factors (Scotland) Act 2011.

Development and Environment

- whether the correct structures were now in place to ensure the timeous delivery of projects.

The Corporate Director (Development and Environment) advised that, Key Performance Indicator C01 (number of days lost within Development and Environment due to sickness absence per FTE annum (days)) within Appendix 5 to the report should be amended to reflect actual figures for 10/11, 11/12 and 12/13 of 8.4, 9.9 and 4.8, respectively, and a target of 9.6 for 13/14.

The Cabinet agreed to (a) approve the Service Plans for 2013/14 as set out at Appendices 1 - 5 of the report, subject to a correction to the figures associated with Key Performance Indicator C01 within Appendix 5; and (c) refer the report to the Scrutiny and Petitions Committee for its information.

The meeting ended at 11.35 a.m.

Cabinet
30 April 2013

IRVINE, 30 April 2013 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, Alan Hill, Marie Burns, Anthea Dickson, Tony Gurney and Alex McLean; E. Highton, M. Fraser and Very Reverend M. Canon McManus (Church Representatives); G. Smith (Teaching Representative); and P. Gillespie and N. McDonald (Youth Representatives);

Also Present

Matthew Brown, John Bruce, Joe Cullinane, John Ferguson, Alex Gallagher, Tom Marshall and Donald Reid.

In Attendance

E. Murray, Chief Executive; L. Friel, Corporate Director, G. Macgregor, Head of HR and Organisational Development, S. Humphries, Senior Manager (Revenues and Benefits), T. Reaney, Team Manager (Corporate Procurement) (Finance and Corporate Support); C. Kirk, Corporate Director, A Sutton, Head of Community and Culture, M. Docherty, Head of Education (3-18), D. Carracher, Senior Manager (Inclusion) and F. Rodman, Senior Manager (Early Years and Child Care); I. Colvin, Corporate Director, O. Clayton, Head of Community Care and Housing and A. Adrain, Divisional Manager (HQ) (Social Services and Health); K. Yeomans, Head of Development Planning and A. Laurenson, Team Manager (Regeneration) (Development and Environment); S. Bale and A. Todd, Policy and Performance Officers, M. Rae, Acting Policy and Performance Officer, E. McDonald, Communications Officer and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

1. Declarations of Interest

In terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors, Councillor Dickson, as the spouse of a director of an early years provider, declared an indirect, pecuniary interest in Agenda Item 5: Early Years Developments and took no part in the discussion.

2. Minutes

The accuracy of the Minutes of the previous ordinary meeting of the Cabinet held on 26 March 2013, was agreed and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Attainment, School Leaver Destinations, Attendance and Exclusions for Young People Looked After by North Ayrshire Council: Session 2011/12

Submitted report by the Corporate Director (Education and Skills) on the attainment, post school destinations and overall attendance of pupils still at school who are looked after by North Ayrshire Council.

The attainment of North Ayrshire's looked after young people has seen significant year on year improvement since 2008, details of which were provided in Section 2 of the report.

Among the support and resources being targeted towards continuing to improve outcomes for looked after young people, are the following:-

- proposals to increase the involvement of Elected Members and Senior Officers in the Council's corporate responsibilities towards looked after young people;
- improvements arising from the secondment of an experienced manager to the post of Education Development Co-ordinator for Looked After Children;
- Psychology support to North Ayrshire Council Children's Units;
- weekly homework clubs in Children's Units;
- Pupil Support Service Extended Outreach, offering intensive support to looked after pupils identified by schools as most at risk of progressing to a negative post-school destination;
- a targeted Activity Agreement programme for up to 18 looked after young people who do not qualify for Throughcare Services;
- a 'data hub' pilot to improve the sharing of data between Education and Skills and Skills Development Scotland and, in the longer term, other services and organisations; and
- a Data Access Agreement with the Scottish Government's Analytical Services Division, which will improve the monitoring of educational outcomes for looked after young people.

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

- the source of the figures provided at Section 1.2 of the report;
- whether data in relation to young people looked after by other authorities but attending school within North Ayrshire, was analysed separately;
- whether there were looked after children on the school roll of all North Ayrshire primary and secondary schools;
- the importance of monitoring the progress of looked after children to ensure a longer-term positive destination after further education and/or training;
- the attainment figures for looked after children when compared with the wider North Ayrshire school population;
- the operation of homework clubs within residential units and schools; and
- whether young people subject to a supervision order were regarded as 'looked after' in the context of the report.

The Cabinet agreed to (a) note the information provided in the report; and (b) approve the targeting of support and resources to improve outcomes for these young people as detailed within the report.

4. Devolved School Management

Submitted report by the Corporate Director (Education and Skills) on a revised Devolved School Management Scheme of Delegation for Educational Establishments.

Devolved School Management (DSM) was introduced in 1993. It required councils to devolve school budgets to headteachers with the twin aims of improving local decision making and providing more flexibility to headteachers in responding to the needs of individual schools.

In 2011 the Scottish Government and COSLA agreed that the 2006 DSM Guidelines should be reviewed and amended. The resulting Devolved School Management 2012 Guidelines were published in June 2012. The Council's review of its DSM scheme was undertaken by a group including representation from headteachers, school Administrative and Finance Officers (AFOs), Education and Skills Headquarters staff and staff from Corporate Finance. The key principles of the review were set out at Section 2.4 of the report.

A proposed revised DSM Scheme of Delegation for Educational Establishments was as set out in Appendix 1 to the report.

The Cabinet agreed to approve the revised Devolved School Management Scheme of Delegation for Educational Establishments set out at Appendix 1 to the report.

5. Early Years Developments

Submitted report by the Corporate Director (Education and Skills) on current developments in early years provision and preparations for the delivery of the recommendations in the Children and Young People's Bill.

The Council works in partnership with 22 private and voluntary establishments (partner providers) to provide early learning and childcare for children aged 3 to 5 from the month after their third birthday. The report provided information on the implications of the Children and Young People's Bill and gave contextual information on the challenging financial climate faced by local private and third sector providers.

It is proposed that, in each locality, there will be at least one establishment where parents can access 600 hours early learning and childcare, including an extended day (8.00 a.m. until 6.00 p.m.) and 3-hour sessions including lunch. The following initial steps to respond to the demands of families and of existing and potential providers were set out:-

- an amendment to the existing admissions criteria to include the month of birth;
- an increase in payments to partner providers from £1,625 to £1,650 from August 2013;
- a planned series of meeting with early years providers;
- a review of the quality and suitability of North Ayrshire Council accommodation used by partner providers;
- plans to stabilise and grow the private and voluntary provision within North Ayrshire; and
- support to partner providers in the third and voluntary sector.

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

- the fundraising activities of private and third sector providers;
- the provision of nursery care in Kilbirnie;
- the staffing and other implications of seeking to offer flexible early years provision; and
- the early years provision delivered by the Council in primary schools and early years centres.

The Cabinet agreed to (a) note the current developments in respect of early years provision; and (b) approve the following proposals to further develop the sector, namely (i) inclusion of month of birth to existing admissions criteria; (ii) an increase in partner payment to £1,650; (iii) a review of the use of available accommodation in schools and community facilities; (iv) extending and funding the strategic management support for the sector from The Ayrshire Community Trust; and (v) continued work with all available partners to develop plans for flexible early learning and childcare to include full day provision.

6. Welfare Reform

6.1 Impact of New Social Sector Size Criteria on Housing Policy

Submitted report by the Corporate Director (Social Services and Health) on the impact of the introduction of the new social sector size criteria on Council tenants and the Housing Service. The Cabinet also received a presentation by the Head of Community Care and Housing on the implications of the new size criteria and proposed mitigation measures.

At its meeting of 6 March 2013, the Council considered motions in respect of the Social Sector Size Criteria and action by the Council in respect of rent arrears. In response, the report outlined the key issues and risks arising from the introduction of the social sector size criteria and offered alternative proposals to address these.

Section 2 of the report summarised the current position in terms of the social sector size criteria and its implications in relation to the Council's Arrears and Evictions Policy and homeless temporary accommodation. The wider strategic implications and actions taken to mitigate the impact of the new size criteria were also outlined. Section 3 of the report considered the implications of the motions presented to the Council on 6 March 2013, in terms of rent arrears, the potential reclassification of bedrooms, and the Homelessness service.

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

- rent collection levels in the first month following implementation of the Social Sector Size Criteria;
- whether press coverage of councils' approaches to evictions was having a negative impact on rent collection rates and tenants' willingness to engage with the Council about arrears;
- the profile of social sector housing provision in Scotland and the shortage of one-bedroom properties for rent; and
- the reaction of local housing associations to the social sector size criteria.

The Cabinet agreed (a) to note the action taken to date to mitigate the impact of the new Social Sector Size Criteria; (b) that, for a period of one year, there should be no eviction from mainstream Council properties where rent arrears are solely due to the under-occupation penalty, and where it can be demonstrated that the tenant is engaging with the Council to make payment towards the arrears; (c) not to pursue tenants in Council homeless temporary accommodation for under-occupation arrears, pending clarification of the definition of exempt supported accommodation from the DWP; (d) to reclassify properties where there is a boxroom which does not meet the specified size criteria; (e) to reclassify properties where the installation of a through floor lift has effectively reduced the number of bedrooms; (f) to respond on an individual basis to applications from tenants to have properties reclassified on other grounds taking into account the facts of each case and emerging DWP guidance; and (g) to amend the current approach within the Local Housing Strategy to allow the development and purchase of one-bedroom properties in the Social Housing sector.

6.2 Discretionary Housing Payment Operational Procedures

Submitted report by the Corporate Director (Finance and Corporate Support) on the Discretionary Housing Payment operational procedure.

The Cabinet approved the Council's Discretionary Housing Payment Policy on the 23 October 2012 in anticipation of a number of welfare reforms. DHP is paid in addition to a claimant's Housing Benefit for claimants suffering financial hardship and who need help in meeting their housing costs. DHP funding has been prioritised to provide Housing Benefit claimants affected by Social Sector Size Criteria, the Benefit Cap, Local Housing Allowance restrictions and General Hardship.

Proposed Discretionary Housing Payment operational procedures were set out at Appendix 1 to the report. Section 2 of the report summarised each of these criterion in turn and the financial implications were provided at Section 4.1.

The Cabinet agreed to (a) approve the Discretionary Housing Payment operational procedures as set out at Appendix 1 to the report; and (b) note that a further report will be provided on the Discretionary Housing Payment fund after the first six months of operation.

6.3 Scottish Welfare Fund

Submitted report by the Corporate Director (Finance and Corporate Support) on the Scottish Welfare Fund and the operational procedures which have been developed.

The Social Welfare Fund is a grant-only scheme, which does not need to be repaid and which provides Crisis grants and Community Care grants. A maximum Crisis award of £500 is available and Community Care grants can be made up to £2,000. In kind support is also provided, as are travel and food bank vouchers. A total of £1.068m has been allocated for use in North Ayrshire and will be administered by the Benefits service.

Proposed operational procedures for the fund were set out at Appendix 1 to the report.

Members asked questions, and received clarification, on the rationale for, and appropriateness of, using Primark payment cards for Community Care grants.

The Cabinet agreed to (a) approve the Scottish Welfare Fund operational procedures as set out at Appendix 1 to the report; and (b) note that a further report will be provided on the Scottish Welfare Fund after the first six months of operation.

6.4 The Impact of Welfare Reform on the North Ayrshire Housing Register

Submitted report by the Corporate Director (Social Services and Health) on proposed amendments to the North Ayrshire Housing Allocation Policy which seek to improve the rehousing prospects of tenants affected by the under-occupancy penalty.

The North Ayrshire Housing Register (NAHR) is a common housing register with four partner landlords: North Ayrshire Council, Irvine Housing Association, Cunninghame Housing Association and ANCHO. Houses are allocated to people on the NAHR in accordance with the North Ayrshire Housing Allocation Policy (NAHAP), which is a shared allocation policy overseen by the North Ayrshire Housing Register Steering Group.

The Steering Group evaluated a number of options to mitigate the impact of welfare reform proposals on applicants for housing and address apparent inconsistencies with the allocation policy. Section 3 explored a number of possible changes to the allocation policy and made recommendations in respect of two, namely the reclassification of a proportion of one-bedroom Council-owned amenity properties which are currently only allocated to older people, and an increase in weighting given to under-occupancy to increase the under-occupation points to 50 points per extra bedroom.

Members asked questions, and received clarification, on any potentially negative impact on partnership working of the application of the Suspension Policy.

The Cabinet agreed to (a) improve priority for rehousing tenants by increasing the points awarded for under-occupancy to 50 per "surplus" bedroom; and (b) increase the availability of one-bedroom properties by approving the reclassification of approximately 300 one-bedroom amenity properties to housing for all ages.

7. Council Plan Action Plan 2013/14, Performance Management Strategy Action Plan 2013/14

Submitted report by the Chief Executive on the Council Plan Action Plan 2013/14 and the Performance Management Strategy Action Plan 2013/14.

Appendices 1 and 2 to the report summarised progress in relation the Council Plan Action Plan 2013/14 and the Performance Management Strategy Action Plan 2013/14, respectively.

The Council Plan Action Plan indicator - *Percentage of municipal refuse recycled and composted* - has been amended to *Percentage of household refuse recycled and composted*. This reflects a change by Audit Scotland, whereby only household waste is now used to measure Scotland's progress towards the recycling targets. The indicator - *Total population* - has been added to the Council Plan Action Plan to reflect Council activity to halt and reverse the projected declining population of North Ayrshire.

A partnership theme has been added to the Performance Management Strategy Action Plan to reflect the significant partnership improvement activity which is taking place.

Six-monthly progress reports on both Action Plans will be presented to the Council's Extended Corporate Management team (ECMT), Cabinet and Scrutiny and Petitions Committee.

Members asked questions, and received clarification, on progress in respect of joint budgeting with Community Planning Partners.

The Cabinet agreed to (a) approve the Council Plan Action Plan 13/14 and the Performance Management Strategy Action Plan 2013/14; and (b) refer the report to the Scrutiny and Petitions Committee for its consideration.

8. Response to Scottish Index of Multiple Deprivation (SIMD) 2012: A Business Case for Change

Submitted report by the Chief Executive on the response to the Scottish Index of Multiple Deprivation (SIMD) 2012.

The latest version of the SIMD was published on 18 December 2012. Overall, it indicates that deprivation in North Ayrshire remains significantly above the Scottish Average and that there are pockets of deep-rooted severe deprivation in certain areas.

A review of the 2010 Business Case for Change has been undertaken by relevant Community Planning Partners. A draft document was attached at Appendix 1 to the report. The report proposed that it be endorsed by Cabinet and that the Leader of the Council and Chief Executive use it to make the case to Scottish Government for continuing and additional assistance for North Ayrshire.

Discussion took place on the value of using the document to lobby both the Scottish and UK Governments.

The Cabinet agreed to (a) to endorse the Business Case for Change 2013; and (b) that the Leader of the Council and the Chief Executive use the document to make the case to the Scottish and UK Governments for continuing and additional assistance for North Ayrshire.

9. Equality Outcomes

Submitted report by the Chief Executive on the proposed equality outcomes for North Ayrshire Council.

The Equality Act 2010 (Specific Duties) (Scotland) Regulations 2012 require the Council to publish a set of equality outcomes which it considers will enable it to better perform the general equality duty. The Council must agree outcomes which will help eliminate discrimination, advance equality and foster good relations.

Equality outcomes have been proposed on the basis that they are short to medium term (2 – 4 years) and, wherever possible, the protected characteristic targeted has been specified. The proposed outcomes are structured under the Council's four core objectives as detailed in Section 3.2 of the report. Appendix 1 to the report provided additional contextual information, the consultation programme and the protected characteristics mapped against the outcomes.

The Cabinet agreed to approve the proposed equality outcomes set out in the report.

10. General Services Revenue Estimates 2013/14: Update

Submitted report by the Corporate Director (Finance and Corporate Support) on the General Services Revenue Budget for 2013/14.

Total property cost budgets for the Council for 2013/14 amount to £13.416m. These have been analysed by current Directorate and also by managing service, as detailed in Appendix 1 to the report. In addition to the current devolved budgets, in 2013/14 the Central Repairs and Major Revenue budgets of approximately £4.5m have been combined into a new Property Maintenance budget, with the prioritisation of spend approved by the Council's Capital Programme and Assets Group (CPAG).

In order to properly embed the 'corporate landlord' approach to asset management, the report proposed that all budgets relating to repair and maintenance of properties transfer from services into the Property Management and Investment services. In addition, to further eliminate the need to cross-charge between services, it was proposed that all budgets relating to the cleaning of properties and the maintenance of grounds transfer from services to the Environment division of the Development and Environment Service.

Budgets amounting to £13.416m have been removed from services and allocated to new property budgets within Property Management and Investment (£9.842m) and Development and Environment (£3.574m) and these changes are reflected in the budget matrix set out at Appendix 2 to the report.

The Cabinet agreed to approve the General Services Revenue Estimates matrix outlined at Appendix 2 to the report.

11. Saltcoats Town Hall Redevelopment Project

Submitted report by the Corporate Director (Finance and Corporate Support) on progress to appoint a Design Team to support the preparation of technical design and procurement information and the preparation of funding/grant applications to relevant sources.

Based on the preferred redevelopment option for Saltcoats Town Hall, when complete, the building would accommodate Ardrossan, Saltcoats and Stevenson Housing Offices, Saltcoats Registration Office and a local three towns Heritage Centre hub. The interior of the building would be remodelled, involving the construction of a mezzanine level within the main hall. The adaptations would create an environment which would improve access to Council Services, form updated staff accommodation and provide modern and flexible space for community use. The overall construction cost of the preferred option is expected to be approximately £2.9 million, rising to a full project cost of approximately £3.5 million when professional fees, furniture/equipment, ICT infrastructure, telephone installations, etc. are included.

The report proposed that a Design Team be procured to progress the proposals sufficiently to support the development of the project. In order to ensure continuity of approach, it is anticipated the existing design team commissioned by Irvine Bay would be assigned to North Ayrshire Council.

The Cabinet agreed (a) to note progress to date relating to the Saltcoats Town Hall redevelopment project; (b) to approve the preferred option for development; and (c) that a Design Team is appointed to take the project forward.

12. Kerelaw Castle

Submitted report by the Corporate Director (Finance and Corporate Support) on the cost of the works required to stabilise Kerelaw Castle.

Kerelaw Castle, which forms part of the Stevenston Common Good, is a Scheduled Monument with legal protection under the Historic Environment (Amendment) (Scotland) Bill 2011.

The ATK Partnership (Structural Engineers) report of 27 September 2011 identified six areas of high priority. Officers recommended funding be sought to stabilise and carry out urgent remedial work to Kerelaw Castle. The immediate costs of making Kerelaw Castle safe are approximately £0.099m.

The castle is owned by Stevenston Common Good Fund which currently has an overall balance of £0.155m. However, to charge these repairs to the Common Good fund would result in a considerable depletion of funds available to meet other commitments for the Common Good that may arise. The 10-year General Services capital programme approved by the Council on 30 January 2013 included £0.100m per annum for restoration and repairs to castles and historic monuments within North Ayrshire. The report proposed that the costs of Kerelaw Castle are met from this budget in 2013/14.

The Cabinet agreed to approve the remedial work to Kerelaw Castle, which is owed by Stevenston Common Good, to be funded from General Fund capital budget allocated for the purpose of safeguarding North Ayrshire's heritage.

13. Free Summer Swimming in North Ayrshire for Under 18s

Submitted report by the Corporate Director (Education and Skills) on a pilot programme of free summer holiday swimming for 0-18 years olds in North Ayrshire.

The report proposed offering free summer swimming on the mainland during the summer holiday period (29 June – 18 August 2013) to children aged 5-7 (accompanied by a paying adult) and those aged 8-18 (without the requirement for adult supervision). Children aged 0-4 already receive free swimming all year from K:A Leisure.

The Council currently provides a subsidy of £40,000 p.a. to the Auchrannie Hotel to provide discounted swimming to young people who are resident on Arran. The report proposed that the Council and the Auchrannie Hotel incorporate within this subsidy an agreed timetable of free summer holiday swimming opportunities for young people resident on the island, at times to suit the Auchrannie's obligations to members and residents.

Arrangements for monitoring usage and for the marketing and promotion of the initiative, were set out within Section 3 of the report.

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

- the importance of monitoring both uptake and also those who do not make use of the free provision; and
- the operation of the National Entitlement Card scheme, which is applicable to young people aged 11-18 only.

The Cabinet agreed to (a) approve the pilot programme of free summer holiday swimming for 0-18 years olds in North Ayrshire; and (b) receive a future report to review progress.

14. The Commonwealth Fencing Championships 2014

Submitted report by the Corporate Director (Education and Skills) on proposed assistance to Scottish Fencing to bring the Commonwealth Fencing Championships to the sportscotland National Sports Centre in Largs in November 2014.

The report proposed that the Council support the hosting of the Commonwealth Fencing Championships at Largs in 2014 via the following actions:-

- the creation of a "shadow committee" in North Ayrshire to ensure that appropriate high quality support is provided to the event organisers from a range of North Ayrshire Council departments and to ensure that maximum spend is retained within North Ayrshire;
- promotion of, and support, for accommodation, tourism and food related opportunities to the event organisers;
- the establishment of "in-kind" partnerships with local schools, Active Schools and community sports clubs to design and ensure uptake of a range of volunteering opportunities in relation to the championships;
- support "in kind" from North Ayrshire Council sports development staff and K:A Leisure staff and facilities in support of the event; and
- a contribution of £20,000 from Economic Development, in relation to event set up costs, marketing, and for an economic impact study to be carried out in December 2014.

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

- the extent to which the centre attracts other national events;
- the potential for partnership working between the centre and the Council for the creation of a community sports hub;
- the need to raise awareness about the Commonwealth Fencing Championships, including involving local businesses; and
- the importance of capitalising on the tourism and economic development opportunities arising from both the Scottish Sailing Centre and National Sports Centre in Largs.

The Cabinet agreed to support the Commonwealth Fencing Championships, as detailed within the report.

15. Revocation of the Closing Orders at 14, 24 and 28 Chaseley Gardens, Skelmorlie

Submitted report by the Corporate Director (Finance and Corporate Support) on the condition of the properties at 14, 24 and 28 Chaseley Gardens, Skelmorlie.

On 4 September 2012, the Cabinet approved the serving of Closing Orders over 3 properties at Chaseley Gardens, Skelmorlie, as they failed to meet a condition that was compliant with the recognised Tolerable Standard as defined in the Housing (Scotland) Act 2006. Following a recent inspection, it has been established that the required reinstatement work is complete and the properties now comply with the definition of the Tolerable Standard.

The Cabinet agreed to revoke the Closing Orders in respect of 14, 24 and 28 Chaseley Gardens, Skelmorlie.

16. Affordable Housing Supply Programme: Revision

Submitted report by the Corporate Director (Social Services and Health) on the submission of the revised Strategic Local Programme (SLP) to the Scottish Government and for a number of specific actions to facilitate the delivery of the SLP.

The report provided details of proposed additions to the approved SLP and Slippage Programme, as a result of the additional £2.434m Resource Planning Assumptions (RPA) subsidy award. Having exhausted the opportunities within the existing slippage programme, a strategic review of other potential development opportunities identified the following proposals:-

- a regeneration project at Dickson Drive, Irvine, involving the demolition of 20 properties between 136-174 Dickson Drive and the construction of 8 new homes on the site, as well as the demolition of the flats above the shops on the site, while retaining the retail units;

- the phased demolition of current houses and bed-sits at Montgomery Court, Kilbirnie, and construction of a new development of 24 amenity houses;
- the demolition of 23 bed-sits and 2 two-apartment houses at Kiln Court, Kilbirnie, and the construction of a modern 16-unit sheltered housing complex with provision for a Social Services hub;
- an increase from £1.274m to £1.28m in the grant allocation for the John Galt Primary School development; and
- the allocation of £320,000 to Irvine Housing Association to part fund the purchase of second hand homes from the open market, with the remaining balance of £148,000 being used for the Council's Housing Services to purchase five second-hand homes.

In addition to the proposals for the SLP, the report proposed allocating £47,000 to Irvine Housing Association to support its successful bid to the Scottish Government for the Greener Homes Innovation Scheme for their Healthy Sustainable House Pilots.

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

- further detail on the costs associated with the Dickson Drive, Irvine project;
- the housing need and demand work to be carried out within Skelmorlie; and
- the Greener Homes Innovation Scheme.

In response to a question from Councillor McLean, the Divisional Manager (HQ) (Community Care and Housing) undertook to provide a further breakdown of the costs associated with the Dickson Drive, Irvine project.

The Cabinet agreed to (a) approve the submission of the revised SLP, as set out at Appendix 1, to the Scottish Government; and (b) actions to facilitate the delivery of the SLP, namely (i) the allocation of funding to CHA from the Affordable Housing Account to allow the Fairlie development to proceed; (ii) the cessation of allocations of properties at Dickson Drive with immediate effect and the commencement of decanting of existing tenants; (iii) the use of the Mortgage to Rent underspend from 2012/13 to part fund the Dickson Drive development; (iv) the commencement of the decanting of tenants at Kiln Court, Irvine; and (v) the allocation of Affordable Housing Account funds to Irvine Housing Association (IHA) to assist in the Greener Homes Pilot.

17. Hazeldene Horticulture Social Enterprise and Employment Project

Submitted report by the Corporate Director (Social Services and Health) on a partnership arrangement with ENABLE Scotland and support the development of a social enterprise and employment project within the grounds of Hazeldene Resource Centre, Kilwinning.

Hazeldene Resource Centre provides day services for adults with learning disabilities some of whom have complex needs. The report proposed entering into a Public Social Partnership (PSP) with ENABLE Scotland to develop Hazeldene Horticulture as a live and sustainable enterprise. Hazeldene Horticulture will be established and developed as a PSP 'pilot' offering employability and horticulture services involving North Ayrshire Council and ENABLE Scotland as key partners. A steering group will be established to provide strategic direction and specialist guidance. The strategic objectives for Hazeldene Horticulture were set out at Section 3.3 of the report.

The Cabinet agreed to approve the development and finalisation of a public social partnership social enterprise model with ENABLE Scotland within the grounds of Hazeldene Resource Centre, Kilwinning.

18. Response to the Proposed Closure of the Millport Marine Biological Station

Submitted report by the Corporate Director (Development and Environment) on the Council's proposed response to the announcement by the University of London to end its provision of education and research services at the Millport Marine Biological Station.

In recognition of the impact the closure of the station would have on the island of Cumbrae, the report recognised the importance for the Council of directing a response to bring together relevant stakeholders and all potential funding sources. North Ayrshire Council and Highlands and Islands Enterprise (HIE) have commissioned analysis of the commercial development potential of the facility, with the aim of producing a viable business plan to support the case for activity and employment in the long term, identifying capital and revenue funding requirements, and establishing a sustainable operational structure for the long term. A brief for this work was set out at Appendix 1 to the report.

The aspiration is that employment will be retained on site. However, it is considered that some reduction in economic activity and hence spend within the island economy is likely and, as a result, a wider response will be required. A Community Development Plan for Cumbrae, commissioned by the Cumbrae Community Development Committee in 2009, involved extensive consultation and an economic overview of the island, and set out a number of recommendations on how to bring together community development activities in a more coordinated way. The Development Plan remains relevant and the main components requiring to be analysed were set out at Section 3.6 of the report.

At the Chair's invitation, the Cabinet heard from Councillors Gallagher and Marshall on the closure of the facility and on a meeting being facilitated by Michael Russell MSP to discuss the matter on the island. Councillor Hill, also a local Elected Member for North Coast and Cumbraes, advised of the provision of a Members briefing immediately following the Cabinet.

The Cabinet agreed to approve the proposed response to the loss of education and research services at the Millport Marine Biological Station, as set out in the report.

19. Youth Employment Scotland (Employer Recruitment Incentive)

Submitted report by the Corporate Director (Development and Environment) in respect the proposed submission of a bid to the Youth Employment Scotland (Employment Recruitment Incentive) on a pan Ayrshire basis led by North Ayrshire Council.

The Scottish Government has announced the creation of a new £25 million scheme to create 10,000 new jobs for young people in small to medium enterprises (SMEs) across Scotland. This is part of the Government's Youth Employment Scotland (YES) programme which aims to prepare and support young people into employment. £10 million is available through the European Social Fund (ESF) matched by £15 million of Scottish Government funding.

The stage 1 proposal set out at Appendix 1 was submitted on 15 April 2013. The report proposed the submission of a full application for funding to the Youth Employment Scotland (Employment Recruitment Incentive) on a pan Ayrshire basis, led by North Ayrshire Council. As lead applicant, North Ayrshire Council will be responsible for the overall delivery and financial management of the programme. Each area would, however, deliver the programme in accordance with its own priorities using its own delivery models. Section 3.3 of the report detailed the number of places to be created in each of the 3 Ayrshire areas, together with the associated costs. If the bid is successful, a formal three way agreement would be drafted between the three Councils which will set out key responsibilities in delivering, monitoring and reporting for the programme.

Members asked questions, and received clarification, on the feasibility of filling the 500 Youth Employment programme places proposed for North Ayrshire.

The Cabinet agreed to the submission of a bid to the Youth Employment Scotland (Employment Recruitment Incentive) on a pan Ayrshire basis led by North Ayrshire Council.

20. North Ayrshire Employability and Skills Strategy and Activity

Submitted report by the Corporate Director (Development and Environment) on the development of a new labour market strategy for North Ayrshire and a proposed review of Employability and Skills activity.

Current employability provision sits within an Employability and Skills Framework, which was developed to target resources across five distinct key stages providing tailored support for North Ayrshire residents regardless of the barriers they face. A copy of North Ayrshire's Framework was attached at Appendix 1 to the report.

Over the last two years, the Employability and Skills activity has supported over 4,000 beneficiaries with over 1,700 progressing into employment. Despite this support, and the more intensive support available from Jobcentre Plus, the Work Programme and other agencies, North Ayrshire's claimant count continues to be the highest in Scotland. Compounding this, the next few years are likely to herald a period of rapid change within employability services. It is, therefore, critical that the Council takes stock, reviews existing provision and develops a new labour market strategy which will take account of these changes and challenges facing the North Ayrshire labour market. Sections 3.2-3.4 of the report set out the terms and purpose of the proposed review, which is expected to commence in May 2013 for a 3-month period.

The Cabinet agreed to approve (a) the development of a new labour market strategy for North Ayrshire and (b) a review of Employment and Skills Activity.

21. Scotland's Climate Change Declaration

Submitted report by the Corporate Director (Development and Environment) on progress against the commitments made in the Climate Change Declaration.

All 32 local authorities in Scotland have signed up to "Scotland's Climate Change Declaration". In essence, the Declaration acknowledges that local authorities accept that climate change is occurring and commits local authorities to both mitigate and adapt to climate change. The Scottish Government also introduced the Climate Change Act 2009, which includes a statutory target to reduce Scotland's greenhouse gas emissions by at least 80% from the 1990 baseline by 2050 and an interim target of 42% emissions reduction by 2020.

The Council has made progress in meeting its commitments in the Climate Change Declaration for 2012, as shown at Appendix 1 to the report. There will continue to be an annual statement monitoring progress on our climate change response. In addition, energy, sustainability and climate change are part of a comprehensive policy review within the Development and Environment directorate. As these policies and action plans are developed, further reports will be submitted to the Cabinet.

Noted.

22. Employee Engagement Survey

Submitted report by the Corporate Director (Finance and Corporate Support) on a six-monthly update on progress on Employee Engagement Survey improvement planning process.

In October 2012, the Cabinet acknowledged the results of the Employee Engagement Survey and approved the Council-wide Improvement Plan, which addressed the 8 employee experience factors highlighted in the survey results. By the end of October 2012, each Corporate Director and Head of Service had been issued with a pack of information in relation to the survey findings for their Service. It was recommended that Services organise focus groups with mixed representation across the Service to review the findings, identify where improvements could be made, and determine the Service Improvement Plan.

Updates on progress in terms of Service Improvement Plan actions will be obtained in June and September 2013 which will in turn provide further updates on the 'all Service' actions within the Council-wide Improvement Plan. Appendix 1 to the report provided an update on the Council-wide Improvement Plan actions. Key actions were identified at Section 2.12 of the report. Employees will be kept up to date with progress towards the Council-wide Improvement Plan actions, initially through articles on Navigate. A further update will be provided to the Cabinet in October 2013.

Noted.

23. Measured Term Contract 2012/15 - Heating, Mechanical and Ventilation Systems: Responsive Repairs and Maintenance

Submitted report by the Corporate Director (Finance and Corporate Support) on proposal to invite tenders for the procurement of a measured term contract for Heating, Mechanical and Ventilation Systems: Responsive Repairs and Maintenance.

Heating, Mechanical and Ventilation Systems Responsive Repairs and Maintenance is a statutory requirement for all of the Council's operational properties. The current contract expires on 1 December 2013 with no option to extend. The annual value of the contract is anticipated to be in the region of £150,000.

The Cabinet agreed to approve the tendering of the measured term contract for Responsive Repairs and Maintenance of Heating, Mechanical and Ventilation Systems, as detailed in this report.

24. Montgomerie Park: Landscape Management Services

Submitted report by the Corporate Director (Finance and Corporate Support) on proposal to invite tenders for Landscape Management Services at Montgomerie Park, Irvine.

The Council has a landscape management services contract with The Scottish Woodlands Trust and is required to have a new contract in place with effect from 1 October 2013. The contract will operate for five years, with no requirements for an option to extend the contract beyond the five year period. The estimated annual cost is £65,000 which equates to £325,000 over the five-year period of the contract.

The Cabinet agreed to approve the issue of a formal tender for Landscape Management Services at Montgomerie Park, Irvine.

25. Insurance Services

Submitted report by the Corporate Director (Finance and Corporate Support) on proposal to invite tenders for insurance services.

The Council has an insurance services contract with Zurich Insurance plc and it is proposed to have the new contract in place with effect from 1 April 2014. The contract will operate for 3 years under a Long Term Agreement, with the option to extend for up to 2 years. The estimated annual cost is £1,700,000, which equates to £5,100,000 over the initial period of contract, plus an additional £3,400,000 if the extension period is invoked.

The Cabinet agreed to approve the commencement of a formal tender exercise for insurance services.

26. North Ayrshire Community Based Addictions Support Services - Tender Outcome

Submitted report by the Corporate Director (Social Services and Health) on the results of the tender for North Ayrshire Community Based Addictions Support Services.

The proposed contract terms is for 1 year commencing on 1 July 2013 with the option to extend for a further two 12-month periods. Two bids were received in response to the requirement. These were analysed, further clarification obtained where required, and scores determined against previously published evaluation criteria and weightings. A Tender Outcome Report and award recommendation was provided in Appendix 1. The estimated total value of the overall contract (including any potential extensions) is £412,500.00.

The Cabinet agreed to approve the contract award for North Ayrshire Community Based Addictions Support Services to Momentum.

27. Minute of Ayrshire Economic Partnership: 13 February 2013

Submitted report by the Corporate Director (Development and Environment) on the Minutes of the meeting held on 13 February 2013.

Noted.

28. Corporate Equality Group: Minutes of 21 February 2013

Submitted report by the Chief Executive on the Minutes of the Corporate Equality Group held on 21 February 2013.

Noted.

29. Community Empowerment Policy Board: Minutes of 4 March 2013

Submitted report by the Corporate Director (Education and Skills) on the Minutes of the Community Empowerment Policy Board held on 4 March 2013.

Noted.

30. Education Attainment and Achievement Policy Board: Minutes of 11 March 2013

Submitted report by the Corporate Director (Education and Skills) on the Minutes of the Education Attainment and Achievement Policy Board held on 11 March 2013.

Noted.

31. Economy and Employment Policy Board: Minutes of 18 March 2013

Submitted report by the Corporate Director (Development and Environment) on the Minutes of the Board held on 18 March 2013.

Noted.

32. Environment and Infrastructure and Economy and Employment Joint Policy Board of 18 March 2013

Submitted report by the Corporate Director (Development and Environment) on the Minute of the Meeting of the Environment and Infrastructure and Economy and Employment Joint Policy Board held on 18 March 2013.

Noted.

33. Health and Social Care Policy Board: Minutes of 25 March 2013

Submitted report by the Corporate Director (Social Services and Health) on the Minutes of the Health and Social Care Policy Board held on 25 March 2013.

Noted.

34. North Ayrshire Housing Partnership: Minutes of Meeting 26 March 2013

Submitted report by the Corporate Director (Social Services and Health) on the Minutes of the meeting of the North Ayrshire Housing Partnership held on 26 March 2013.

Noted.

35. Finance and Corporate Support Policy Board Minutes of 28 March 2013

Submitted report by the Corporate Director (Finance and Corporate Support) on the Minutes of the Finance and Corporate Support Policy Board held on 28 March 2013.

Noted.

The meeting ended at 5.20 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

14 May 2013

Cabinet

Subject: **Call In and Petition: St. Luke's Primary School:
Accommodation Pressures**

Purpose: To advise the Cabinet of the outcome of consideration by the Scrutiny and Petitions Committee of a Call In Request and Petition in relation to accommodation pressures at St. Luke's Primary School, Kilwinning.

Recommendation: That the Cabinet considers the recommendation by the Scrutiny and Petitions Committee to approve Option 2 to provide a further 2 class extension to St. Luke's Primary School.

1. Introduction

- 1.1 At its meeting on 26 March 2013, the Cabinet received a report by the Corporate Director (Education and Skills) on capacity issues relating to St. Luke's Primary School, Kilwinning. The report provided information on the increased roll at St. Luke's Primary school and the projected roll for 2013/14 that will equate to an occupancy level of 95.8%. A range of options to address the capacity issues were detailed in the report and its appendices.
- 1.2 The Cabinet agreed that Option 1 (relocate the existing early years provision from St. Luke's primary school to St. Winning's primary school) be approved as the preferred option for consultation.

2. Current Position

- 2.1 At its Special meeting on 25 April 2013, the Scrutiny and Petitions Committee considered a Call In Request and Petition of 212 signatures in relation to the accommodation pressures at St. Luke's Primary School, Kilwinning.

- 2.2 The Call In Request was signed by Councillors Cullinane, Reid and Steel in the following terms:-

"The Cabinet agreed a preferred option (Option 1 - relocate the existing early years provision from St. Luke's Primary School to St. Winning's Primary School) which will trigger a statutory consultation restricted to that option.

This option provides a short term solution as it involves only one extra classroom at St. Luke's and not the two classrooms of Option 2 (provide a further 2 class extension to St. Luke's Primary School), a point which we do not believe the Cabinet has considered satisfactorily based on the pupil roll projections. We believe that the St. Luke's and St. Winning's communities should be consulted on all possible options, including the consolidation of all denominational primary and early years schooling within Kilwinning to a single site, and be given the opportunity to state their preferred option."

- 2.3 Councillors Cullinane and Reid addressed the Committee in support of the Call In Request. Councillor Reid expressed concern at the late circulation to all Members of the report to Cabinet on the accommodation pressures at St. Luke's Primary School. He advised that the capacity issues at St. Luke's Primary School had been examined in previous years and that it was his view that funds for a 2 classroom extension had been incorporated in the budget. He added that consultation should take place with local parents on all the options available, including a 4th Option, the amalgamation of St. Luke's and St. Winnings. Councillor Cullinane stated that consultation with local parents requires to take place.
- 2.4 Councillor Gurney was also present as the relevant portfolio holder and Chair of the Education Attainment and Achievement Policy Board. In response he advised that the report to Cabinet on the accommodation pressures at St. Luke's Primary School had been circulated to all members one week prior to the Cabinet meeting as is normal practice. The Council had recognised that St. Luke's Primary School has experienced capacity issues for a number of years but no specific reference was made in the budget to a 2 classroom extension. A long term strategy is required for both schools that meets the needs of the community.

- 2.5 Councillor Gurney disputed the first sentence of the second paragraph of the Call In Request. He accepted that a wider consultation could be helpful in seeking community views on the range of options. He advised that consultation with the communities of St. Luke's and St. Winnings would take place as part of the statutory public consultation requirement in respect of Option 1,3 and 4. However, any consultation now undertaken would extend beyond the present school term and given the length of the process, the recommended solution could no longer be implemented for August 2014.
- 2.6 The Committee agreed to scrutinise the decision taken by the Cabinet on 26 March 2012 in conjunction with the Petition.
- 2.7 Petitioners, Clare Steel, Simon Luby and Susan Lauder, addressed the Committee in support of Option 2 - provide a further 2 class extension to St. Luke's Primary School. The Committee was advised that a further 612 signatures had now been received and that an on-line petition had also be created.
- 2.8 The Petitioners expressed concern at the proposed relocation of existing early years provision from St. Luke's Primary School to St. Winning's Primary School. They advised that St. Luke's nursery is always full and has received positive Inspection Reports. The provision of a further 2 class extension would address the capacity issues and also provide a break out area.
- 2.9 Relocation of nursery provision to St. Winning's would remove parental choice and also have an unsettling effect on the children. A map was circulated that illustrated the early years provision within the Kilwinning area. The Petitioners highlighted that the removal of early years provision from St. Luke's would result in all early years provision being located to one side of Kilwinning. Parents with children at both nursery and primary school will be unable to walk to both St. Luke's and St. Winnings. The removal of the sustainable travel option would therefore force parents to drive to nursery thereby contributing to traffic congestion. For those who were able to walk the extended journey to nursery, there would be issues of road safety as a result of the increased traffic congestion and the lack of school crossing patrol officers. The Petitioners considered that the Council should examine the best ways to meet the needs of the children, rather than how to fill empty rooms within an under-used building.
- 2.10 Carol Logan, St. Winning's Parent Council addressed the Committee in support of Option 1. She advised that the upper floor of St. Winning's was used for a number of purposes, the school roll had been capped at 100 pupils of 4 composite classes and the current roll of the school was 99 pupils. She added that road safety and parking issues had been explored at St. Winning's

2.11 Discussion took place on a number of areas including:-

- little evidence for support of Option 3;
- the projected increased school roll for the St. Luke's Primary School from 2014 - 2016;
- a large area of land zoned for development that will fall within the St. Luke's catchment area; and
- that nursery provision does not have catchment areas and is accessed via parental choice.

2.12 Councillor Barr, seconded by Councillor Gallagher, moved that the Committee agree to recommend to the Cabinet Option 2 - provide a further 2 class extension to St. Luke's Primary School.

2.13 As an amendment, Councillor Sturgeon, seconded by Councillor McMillan, moved that the Committee agree not to recommend Option 2 to Cabinet.

2.14 On a division, there voted for the amendment 2 and for the motion 2. On the casting vote of the Chair, the motion was declared carried.

3. Proposals

3.1 The Cabinet is invited to consider the recommendation from the Scrutiny and Petitions Committee to approve Option 2 - provide a further 2 class extension to St. Luke's Primary School. This option does not require a Statutory Public Consultation in terms of the Schools (Consultation) (Scotland) Act 2010.

3.2 In the event the Cabinet declines to accept the recommendation of the Scrutiny and Petitions Committee, the matter requires to be referred to the next meeting of the full Council for determination.

4. Implications

4.1 The original report to the Cabinet on 26 March 2013 (Appendix A) and the subsequent report to the Scrutiny and Petitions Committee on 25 April 2013 (Appendix B) are appended and detail financial, human resource, legal, equality and environmental implications and implications for key priorities.

5. Consultations

5.1 Consultations have taken place with various Services, organisations and individuals as detailed in Appendix A and B.

6. Conclusion

- 6.1 The Cabinet requires to consider the views outlined by the parties in support of the Call In and Petition, those views expressed by the representative of St. Winning's Primary School and the recommendation of the Scrutiny and Petitions Committee.



ELMA MURRAY
Chief Executive

Reference :

For further information please contact Angela Little, Committee Services Officer on telephone number 01294 324132

Background Papers

None

NORTH AYRSHIRE COUNCIL
Agenda Item 4**26 March 2013****Cabinet**

Subject: **Education and Skills: St Luke's Primary School: Accommodation Pressures**

Purpose: To advise Elected Members of capacity issues relating to St Luke's Primary School and seek direction on the most appropriate way forward.

Recommendation: That the Cabinet agrees to (a) consider the information contained within this report; and (b) advise Officers on their preferred option to address the accommodation issues at St Luke's Primary School.

1. Introduction

St Luke's Primary School is a denominational primary school serving the Pennyburn and Whitehirst Park areas of Kilwinning and has over recent years experienced an increasing school roll as shown below:

	2004	2005	2006	2007	2008	2009	2010	2011	2012
St Luke's pupil numbers	171	176	184	176	189	189	203	210	215

2. Current Position

- 2.1 The roll at St Luke's Primary School has increased to 215 pupils this session, and the projected roll for session 2013/14 is 230. The school capacity is 240. This equates to an occupancy level of 95.8%, which exceeds the generally accepted level of optimum occupancy, and presents a number of challenges for both the staff of the school and the pupils. For example, very limited capacity to use the school accommodation flexibly and to promote active learning approaches such as small groupwork and breakout activities.

- 2.2 Given these accommodation pressures, intervention is required to address this situation.
- 2.3 At its meeting on 22 November 2011, the Executive of North Ayrshire Council approved a project to extend St Luke's Primary School, which comprised of a single classroom extension with associated cloak area. This enhancement was required as a result of the roll for session 2012/13.
- 2.4 At that time, consideration was given to construct a larger, two class extension given the known roll pressures. However, given the contract period and value and scale of this larger extension project this would not have been achievable within the tight time constraints present. Therefore, a single classroom extension was constructed over the summer of 2012 and completed for use in the current school session.
- 2.5 The current pupil population and resulting class structure at St Luke's Primary School requires 9 teaching classrooms. As there are currently only 8 rooms available, the school's designated Library area is presently being utilised as a teaching space. It is acknowledged that this is not an ideal long-term situation. It is also anticipated that the roll will increase further in August 2014 resulting in a requirement for 10 classrooms.
- 2.6 This report presents a range of options as to how the accommodation pressures at St Luke's Primary School could be addressed to deliver a more sustainable position going forward.
- 2.7 The options presented have different advantages and disadvantages and have been appraised against the following criteria to provide a balanced and holistic assessment.

Facilitating learning and teaching and a positive school ethos

Does the option support (or hinder) the day to day running of the school and offer opportunities to improve learning and teaching?

Efficient use of our buildings

Does the option support (or hinder) the efficient use of Council assets and improve condition, suitability or sufficiency of the school estate?

Community coherence and impact on families

Does the option support (or hinder) the practicalities for parents and families or make sense for those living in the community?

Project implementation and deliverability

Does the option provide an efficient and manageable delivery and meet statutory obligations while minimising disruption.

Financial Assessment

What are the capital and revenue implications of the option?

3. Proposals

- 3.1 It is proposed that Elected Members give consideration to adopting one of the following options, which are more fully set out within Appendix 1:
- 3.2 Option 1: Relocate the existing early years provision from St Luke's primary school to St Winning's primary school.
Option 2: Provide a further 2 class extension to St Luke's primary school.
Option 3: Re-zone the catchment areas of St Luke's and St Winning's primary schools. See Appendix 2 for potential rezoning boundaries.
- 3.3 St Winning's Primary School is presently significantly under-occupied with an occupancy level of 53%. This is an undesirable position which does not make most efficient use of the school estate.
- 3.4 Options 1 and 3 would result in more sustainable school communities in both St Luke's and St Winning's Primary Schools.

4. Implications

Financial Implications

- 4.1 Each option under consideration will have financial implications and current indicative costs are provided within Appendix 1 and are summarised below. Capital funding has been approved within the Council's Capital Plan (School Estate) to deliver any of these options. Any increased revenue implications will be met within existing Education and Skills resources.

	Capital Costs	Revenue implications
Option 1	£280,000 est	Revenue neutral
Option 2	£700,000 est	£24,500 per annum increase
Option 3	£160,000 est	Revenue neutral

Following a decision by Cabinet on the preferred option to address the accommodation issues at St Luke's Primary School, the associated capital and revenue costs would require to be refined to determine accurate costs.

Human Resource Implications

- 4.2 There are none arising directly from this report.

Legal Implications

- 4.3 There are none arising directly from this report. However, as detailed in Appendix 1 some of the options would require the Council to undertake a Statutory Public Consultation exercise in accordance with the Schools (Consultation) (Scotland) Act 2010.

Equality Implications

- 4.4 There are none arising directly from this report. However, an Equalities Impact Assessment is recommended in relation to Options 1 and 3.

Environmental Implications

- 4.5 There are none arising directly from this report. However further consideration would be given to design matters and traffic management depending on which option is identified for further development.

- 4.6 Implications for Key Priorities

The project will contribute to the delivery of relevant Single Outcome Agreement outcomes including:

3a Opportunities for lifelong learning have increased;

5a Opportunities to support the positive development of vulnerable young children have increased;

15b Public services are more efficient and effective.

5. Consultations

- 5.1 Initial consultation with the following key stakeholders has already taken place:

- Headteachers of St Luke's and St Winning's Primary Schools
- Parent Councils of St Luke's and St Winning's Primary Schools
- Property Management and Investment
- Finance

6. Conclusion

- 6.1 It is recommended that Elected Members consider the options presented within this report and advise the Corporate Director (Education and Skills) on how they wish to proceed.



CAROL KIRK
Corporate Director (Education and Skills)

Reference : MA/LT/EMcK

For further information please contact Mark Armstrong, Head of Service (Education and Skills) on telephone number 01294 324413

Background Papers

Report to North Ayrshire Council Education Executive on 22 April 2008 titled "Consultation on the proposal to re-zone the catchment areas of St Winning's and St Luke's Primary School provision in Kilwinning".

St Luke's Primary School: Accommodation Pressures

Option 1 Relocate the existing early years provision from St Luke's Primary School to St Winning's Primary School	
Facilitating learning and teaching and a positive school ethos	<p>Would result in more sustainable school communities in both St Luke's and St Winning's Primary Schools. The quality of the early years learning environment and facilities in Kilwinning could be improved.</p> <p>The early years provision at St Luke's Primary School is held in high regard, and the relocation of, what is acknowledged to be, a quality service which works well, may be viewed negatively by a number of stakeholders.</p> <p>The resulting balance of primary to nursery pupils within St Winning's and the resultant effect on the school environment should also be considered. It seems likely that the nursery pupils will form half of the school roll.</p>
Efficient use of our buildings	<p>Would address the current and predicted under-occupancy at St Winning's Primary School (53%) as well as addressing the accommodation pressures at St Luke's Primary School resulting in a more efficient use of the school estate.</p> <p>The required capital investment has the potential to improve the condition of both St Luke's and St Winning's Primary Schools.</p> <p>The suitability of both schools is however predicted to be adversely affected by this option. St Luke's would cease to have early years provision on site and the balance of the St Winning's school population would be weighted to pre-school children.</p> <p>In addition, the majority of the primary provision at St Winning's Primary school would require to be located on the upper floor of the building, which will present challenges in respect of the toilet provision at the school, which is all currently located on the ground floor.</p>
Community coherence and impact on families	<p>The immediate positive impact on the occupancy of St Winning's is anticipated to be seen as positive by this school community, securing the longer-term viability of the school.</p> <p>In moving Early Years provision to St Winning's Primary School, parents who currently have children who attend St Luke's Primary School and also have children of pre-school age may feel disadvantaged as their childrens' education would now be provided at two separate sites, leading to increased drop-off/travel time and inconvenience for some parents.</p>

St Luke's Primary School: Accommodation Pressures

Option 1 Relocate the existing early years provision from St Luke's Primary School to St Winning's Primary School	
Project implementation and deliverability	<p>This option will require Statutory Public Consultation. If consultation documents are agreed at Cabinet (Education) on 30 April 2013 the earliest that this could be concluded by is November 2013.</p> <p>Any required capital works would be tendered and completed in time for the start of the 2014/15 school session.</p> <p>The arrangements to drop-off and pick-up pre-school children requires to be clarified. This could have additional financial implications.</p>
Financial Assessment	<p>Initial Capital costs from desktop analysis in January 2013 are predicted to be £280,000 (£70,000 at St Luke's and £210,000 at St Winning's). A more detailed feasibility study would be required.</p> <p>Revenue impact predicted to be neutral.</p>

St Luke's Primary School: Accommodation Pressures

Option 2 Provide a further 2 class extension to St Luke's Primary School	
Facilitating learning and teaching and a positive school ethos	<p>Would provide the required number of teaching areas to meet the anticipated school roll from August 2014, and would allow the school to re-claim the library area, which is currently being utilised as a teaching space.</p> <p>Proposed extension would also provide additional activity space, overall improving the quality of the learning environment at St Luke's Primary School.</p>
Efficient use of our buildings	<p>Would improve the overall condition, suitability and sufficiency of St Luke's Primary school.</p> <p>Will have no impact on St Winning's Primary school. However, there is a risk that the improvements to St Luke's may prompt further pupil movement out of St Winning's via placing request thereby worsening its under-occupancy and longer-term viability.</p>
Community coherence and impact on families	<p>This option provides the least disruption to families and children and is anticipated as being the most favoured option of the St Luke's school community.</p>
Project implementation and deliverability	<p>No statutory consultation required.</p> <p>Capital works would be tendered and completed in time for the start of the 2014/15 school session. Given previous feasibility study a short lead-in time is required.</p>
Financial Assessment	<p>Feasibility study was carried out in July 2011 and details a Capital budget cost of £700,000 for the necessary works. This would require to be updated.</p> <p>Increased rates and running costs for the larger primary school are predicted at £24,500 per annum.</p>

St Luke's Primary School: Accommodation Pressures

Option 3 Re-zone the catchment areas of St Luke's and St Winning's Primary Schools	
Facilitating learning and teaching and a positive school ethos	<p>Over the medium to long-term this option would result in more sustainable school communities in both St Luke's and St Winning's Primary Schools.</p> <p>No improvement to the overall learning environment of either school.</p> <p>The requirement for temporary classroom accommodation at St Luke's for a number of years may be perceived as a negative impact.</p>
Efficient use of our buildings	<p>Over the medium to long-term would address the current and predicted under-occupancy at St Winning's Primary School (53%) as well as addressing the accommodation pressures at St Luke's Primary School resulting in a more efficient use of the school estate.</p> <p>Would have no impact on the condition or suitability of either St Luke's or St Winning's Primary Schools.</p>
Community coherence and impact on families	<p>This option reverses a previous decision of the Council made in 2008 which had been implemented in response to long-standing practice of parents from the Woodside area submitting placing requests to St Luke's.</p> <p>While current St Luke's pupils from the re-zoned Woodside area could remain at St Luke's until the end of their Primary schooling, the Council would require to consider the position of any of their younger siblings not yet at primary school. Placing requests would be anticipated over the period to 2020. Rejecting such placing requests and requiring these siblings to attend their new catchment school of St Winning's would present difficulties for families and could create tensions in the community.</p> <p>The positive impact over the medium-term on the occupancy of St Winning's is anticipated to be favoured by this school community.</p>
Project implementation and deliverability	<p>This option will require Statutory Public Consultation. If consultation documents are agreed at Cabinet (Education) on 30 April 2013 the earliest that this could be concluded by is November 2013. The rezoning would take effect from the Primary 1 intake for August 2014.</p> <p>The Council would however be required to honour the placements of existing pupils at St Luke's from the rezoned Woodside area. Rezoning in itself would therefore not address the school's accommodation pressures in the short to medium term. It could take up to 2020 until the entire current school population had worked its way through to secondary school. Over this period temporary accommodation would be required.</p>

St Luke's Primary School: Accommodation Pressures

Option 3

Re-zone the catchment areas of St Luke's and St Winning's Primary Schools

Financial Assessment

No capital investment in the school buildings required. However, a 2 classroom Temporary Accommodation unit with toilets would be required for up to 6 years to 2020. £160,000 to purchase.

Revenue impact predicted to be neutral.

NORTH AYRSHIRE COUNCIL

Agenda Item 2

25 April 2013

Scrutiny and Petitions Committee

Subject: **Call In Request and Petition: St. Luke's Primary School: Accommodation Pressures**

Purpose: To allow the Committee to consider a Call In request and petition relating to the decision taken by the Cabinet at its meeting held on 26 March 2013 in relation to capacity issues relating to St Luke's Primary School, Kilwinning.

Recommendation: The Committee is invited to consider the Call In request and petition and determine whether it wishes to make any alternative recommendations to Cabinet.

1. Introduction

- 1.1 At its meeting on 26 March 2013, the Cabinet received a report by the Corporate Director (Education and Skills) on capacity issues relating to St. Luke's Primary School, Kilwinning. The report provided information on the increased roll at St. Luke's Primary school and the projected roll for 2013/14 that will equate to an occupancy level of 95.8%. A range of options to address the capacity issues were detailed in the report and its appendices.
- 1.2 The Cabinet agreed that Option 1 (relocate the existing early years provision from St. Luke's primary school to St. Winning's primary school) be approved as the preferred option for consultation.

2. Current Position

Call In

- 2.1 A request has been received in terms of the Call In procedure set out in the Council's Scheme of Administration and Standing Orders, that the Scrutiny and Petitions Committee examine the decision taken by the Cabinet as set out in paragraph 1.2 above.
- 2.2 The request was signed by Councillors Cullinane, Reid and Steel in the following terms:-

"The Cabinet agreed a preferred option (Option 1 - relocate the existing early years provision from St. Luke's Primary School to St. Winning's Primary School) which will trigger a statutory consultation restricted to that option.

This option provides a short term solution as it involves only one extra classroom at St. Luke's and not the two classrooms of Option 2 (provide a further 2 class extension to St. Luke's Primary School), a point which we do not believe the Cabinet has considered satisfactorily based on the pupil roll projections. We believe that the St. Luke's and St. Winning's communities should be consulted on all possible options, including the consolidation of all denominational primary and early years schooling within Kilwinning to a single site, and be given the opportunity to state their preferred option."

- 2.3 A copy of the original report and appendices presented to the Cabinet on 26 March 2013 is appended to this report.
- 2.4 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.
- 2.5 The Elected Members who have submitted the Call In will be invited to address the Scrutiny and Petitions 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.
- 2.6 The Committee will then consider the Call In request and decide whether or not to agree with the Cabinet's decision. 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 for alternative action. The Chairperson or another member of the Scrutiny and Petitions Committee will have the right to attend the Cabinet and speak in support of any recommendation.
- 2.7 In the event the Cabinet declines to accept the recommendation from the Scrutiny and Petitions Committee the matter will be referred to the next meeting of the Council for determination. The decision of the Council will be final.

Petition

- 2.8 A petition of 212 signatures in support of Option 2 (provide a further two class extension to St. Luke's primary school) has been received.
- 2.9 The Call In and petition raise similar issues. It is therefore recommended that the Committee firstly allow the Elected Members who submitted the Call In to address the Committee on the terms of the Call In, then allow the petitioners to address the Committee, and thereafter consider and determine both issues together.
- 2.10 In terms of the procedure for dealing with petitions and deputations set out in Standing Orders, representatives of the petition have been invited to attend the meeting. A principal spokesperson has been identified to address the Committee and should be restricted to addressing the specific points raised in the petition.
- 2.11 Spokespersons have, collectively, 10 minutes to address the Committee. This may be extended at the discretion of the Chair.
- 2.12 Once the Committee has heard from the spokespersons for the petitioners, the Chair will invite Members of the Committee to ask questions of the spokespersons.
- 2.13 Officers will be present at the meeting to respond to any questions that Members of the Committee may have.

3. Proposals

- 3.1 The Committee is invited to consider the Call In request and petition and determine whether to make any alternative recommendations to Cabinet.

4. Implications

Financial Implications

- 4.1 There are no direct implications arising from this report.

Human Resource Implications

- 4.2 There are no direct implications arising from this report.

Legal Implications

- 4.3 There are no direct implications arising from this report.

Equality Implications

- 4.4 There are no direct implications arising from this report.

Environmental Implications

- 4.5 There are no direct implications arising from this report.

Implications for Key Priorities

- 4.6 There are no direct implications arising from this report.

5. Consultations

- 5.1 No further consultation has been undertaken in compiling this report. The consultation undertaken in the preparation of the report to the Cabinet of 26 March 2013 is set out in Appendix 1.

6. Conclusion

- 6.1 The Scrutiny and Petitions Committee is invited to consider the proposals presented and respond to the Cabinet accordingly.



ELMA MURRAY
Chief Executive

Reference :

For further information please contact Angela Little, Committee Services Officer on 01294 324132

Background Papers

Appendix 1

NORTH AYRSHIRE COUNCIL

Agenda Item 4

14 May 2013

Cabinet

Subject: **Asset Management Plans - Update on Progress**

Purpose: To inform Cabinet of developments in the management of Council assets during 2012/13 and the proposed workplan for 2013/14




Recommendation: That the Cabinet agrees to (a) note the progress made by Council services in implementing the 2012/13 asset management action plans; and (b) approve the themed action plans for 2013/14 set out in the appendices.

1. Introduction

- 1.1 The Council's Best Value 2011/12 Assurance and Improvement Plan (AIP) identified the need for the Council to develop a more robust approach to managing its core assets, ensuring optimal operation of our assets to support the delivery of our corporate goals and objectives.
- 1.2 The former Executive approved the Corporate Asset Management Strategy on 29 March 2011, recognising that it represented a long term broad plan for all of our assets, to secure best value for money. Six themed asset management plans and associated action plans for 2012/13 were subsequently approved by the Executive on 28 February 2012.
- 1.3 Progress made by Services and implementing the 2012/13 Asset Management Plan actions was reported to the Cabinet on 2 October 2012. The Council's updated Corporate Asset Strategy was subsequently approved at the Council meeting on 30 January 2013.

2. Current Position

- 2.1 Progress by services in implementing planned actions for 2012/13 is provided in Appendices 1-6. The recently issued 2013/14 AIP recognises that significant improvements have been made by the council in its asset management; the external risk assessment has consequently been downgraded from 'further information required' to 'no scrutiny required'. Members are advised that the symbols used within the "expected outcome" column within the appendices have the following meaning:

-  On Target;
-  Slightly adrift of target; and
-  Significantly adrift of target.

Property

- 2.2 The council owns 553 properties including its commercial estate, with a total value of £458.4m. A detailed survey of all of these properties is currently underway, for completion by September 2013. Survey information will be used to inform the prioritisation of future capital and revenue investment proposals.
- 2.3 At its meeting on 22 November 2011, the former Executive approved the creation of a 'Corporate Landlord' with responsibility for all council properties except council housing. Since 1 April 2013, all properties are being managed by the Property Management and Investment team within Finance and Property. This corporate approach to property management will ensure greater clarity of running costs for each property and enable resources to be directed to the areas of greatest need.
- 2.4 Other key developments during 2012/13 included:
- Review of all council owned properties, including leased properties, carried out with Services to confirm current and future requirements;
 - Office rationalisation programme underway, including redevelopment of Bridgegate House and Cunninghame House. Revenue savings and capital receipts have been identified;
 - Ten year capital investment programme (2013-2023) approved by the Council in January 2013;
 - Prioritised programme of major revenue investment agreed with Services for 2013/14;
 - DDA surveys completed by March 2013;
 - GIS maps and neighbourhood reviews of NHS/ North Ayrshire Council assets completed; and
 - Council property working groups consolidated, with clear reporting to the Capital Programme and Assets Group (CPAG) now in place.

2.5 Several planned actions for 2012/13 have not yet been completed and will continue into 2013/14. An update on progress with planned activity for 2012/13 with explanations for slippage is provided in Appendix 1, alongside details of new actions planned for 2013/14. Key actions for 2013/14 include:

- Development of partnership opportunities;
- Development of bench marking with several high performing councils to drive improvement in service delivery; and
- Development of life cycle costing to support asset management planning and prioritisation of capital and revenue investment.

Roads

2.6 The Council is responsible, as the local Roads Authority, for the maintenance and management of the local road network; this includes some 1,031 km of road, 276 road bridges, 22,620 street lighting columns, along with street furniture, safety fences, flood defences and coastal features. The total value of the adopted road network, calculated in 2012, is £1.7 billion.

2.7 The Roads asset plan brings together all of these assets, their known condition data and details of historic investment and maintenance work. The condition of the road carriageway network is currently deteriorating and some 43.8% requires maintenance treatment with an estimated backlog maintenance of £49.7m. A prioritisation matrix allows competing demands to be ranked based on a range of operational factors to ensure funding is invested most effectively. A road investment plan has been implemented as part of the RAMP and will provide robust long term financial planning for the road network.

2.8 The Roads Plan also refers to non-adopted road assets (in housing areas, car parks, footpaths, slipways, etc.,) currently managed by other services of the Council. An exercise to create an inventory of non-adopted road assets and introduce an associated inspection programme and maintenance regime will be initiated in 2013/14 and will be incorporated into the Roads Plan as this progresses.

2.9 Key developments during 2012/13 included:-

- Increased investment in 2013-2023 has been identified for the road infrastructure within the approved ten year capital plan to prevent further deterioration in the road conditions; and
- Development of a specific risk register for road assets.

- 2.10 An update on progress with planned activity for 2012/13 with explanations for slippage are provided in Appendix 2, alongside details of new actions planned for 2013/14. Key actions for 2013/14 are:
- Production of a Road Maintenance Manual to record procedures, policies and methodologies for all road assets; and
 - Production of a formal Lighting Policy Document encompassing the approach to both rural and urban lighting.

Housing

- 2.11 The Council owns 13,166 properties, valued in 2012 at £455m. This includes all social housing, sheltered housing units and garages. The Council is investing annually in excess of £17 million until 2015 to maintain the stock and ensure that the requirements of the Scottish Housing Quality Standard (SHQS) are achieved or exceeded.
- 2.12 By 31 March 2013, 90% of the housing stock met the SHQS standard. Continued investment is required to maintain the stock in good condition. The APEX asset management system supports this with comprehensive and robust information, including condition and survey data on all Council homes. This ensures that investment decisions are well-informed and priority driven.
- 2.13 A programme of building new social housing has been agreed with 500 new homes being built over the next ten years. Between 2010 and 2012, 63 new homes were built at a total cost of £6.8m (£1.6m Scottish Government Grant funded). Two projects, to build a further 58 new homes, are currently in progress with work expected to be completed during 2013/14. Plans are being developed for the construction of an additional 91 properties between 2014/15 and 2015/16.
- 2.14 Overall, asset planning in Housing is considered to be very good reflecting the maturity of the Housing Business Plan and the Standard Delivery Plan, allowing long term sustainable asset planning.
- 2.15 All planned actions were completed during 2012/13. Key developments during the year included:
- The effective monitoring and management of programmes of works against SHQS; and
 - Ensuring that the information from stock condition surveys is comprehensive and relevant.

2.16 An update on progress with planned activity for 2012/13 is detailed within Appendix 3, alongside details of new actions planned for 2013/14. Key actions for 2013/14 include:

- Development and delivery of large-scale mixed tenure external wall insulation schemes using ECO and HEEPS funding; and
- The introduction of property factoring services

Open Space

2.17 The Council provides over 2,410 hectares of public open space, including parks, cemeteries, civic spaces, woodlands, sports pitches, equipped play areas, promenades and beaches. The annual revenue expenditure of maintaining this space and the facilities within, such as playpark equipment, is £5.9 million. The Council's capital plan makes provision for additional investment of £4.7 million over the next four years.

2.18 The size, location and number of assets provided greatly exceeds benchmarks and standards set down by Scottish Government and professional open space bodies and organisations. Maintenance of open space is undertaken by the Streetscene service which also utilises an extensive monitoring and inspection framework to ensure high quality and fit for purpose assets and to inform future investment programmes.

2.19 Key developments during 2012/13 included:-

- Development of a Tree and Woodlands Management Policy;
- Further development of the Water Safety Policy; and
- The Local Development Plan was submitted to Scottish Ministers for Examination by an external independent planning reporter.

2.20 An update on progress with planned activity for 2012/13 with explanations for slippage is provided in Appendix 4, alongside details of new actions planned for 2013/14. Key actions for 2013/14 are:

- Development and implementation of the Open Space Action Plan; and
- Implementation of Year two of the Cemetery Walls and Pathways Project.

Fleet

2.21 The Council operates a wide range of vehicles and plant with a value of £6m to support the delivery of front line services. The assets are procured, maintained and managed by the Transport Service which holds the Council's Operator's licence as required by the Traffic Commissioner. Replacement need is assessed on the basis of asset condition and life cycle considerations.

- 2.22 Capital resources have been approved over the ten year period 2013-2023 to ensure the Council has a well maintained, fuel efficient and fit for purpose transport fleet.
- 2.23 The management of all vehicles, plant and equipment was brought together during 2012/13 through the development of a Transport Hub. This will significantly improve the planning of our fleet assets and is anticipated to result in a rationalisation of the current fleet.
- 2.24 Other key developments during 2012/13 included:
- Commenced implementation of the Corporate Transport Hub;
 - Identification of all plant assets; and
 - Implementation of the corporate vehicle tracking system.
- 2.25 An update on progress with planned activity for 2012/13 with explanations for slippage is provided in Appendix 5, alongside details of new actions planned for 2013/14. Key actions for 2013/14 are:
- Fully implement and develop the Corporate Transport Hub.

ICT

- 2.26 The Council's ICT assets are valued at some £6.3m with over £1.2m required for annual support contracts and rental costs. These assets provide resources and facilities which support the efficient delivery of the majority of the Council's services.
- 2.27 Technology has continued to move forward, with the IT industry increasing focus on mobile devices such as iPads, Windows 8 and other tablet operating systems.
- 2.28 Within North Ayrshire Council, a number of initiatives were progressed during 2012/13 :
- Approval to proceed with investing in the Council's Networks and Telephony Infrastructure;
 - Virtualisation of the majority of the servers (in excess of 100) in the Corporate Data Centre, providing a more coherent infrastructure and reducing power and cooling requirements;
 - An increased focus on agile working and hot-desking, particularly in relation to the refurbishment of Bridgegate House;
 - Piloting the use of iPads by the extended Corporate Management Team and Elected Members ;
 - Replacement of 700 Desktops / Laptops as part of the corporate PC replacement programme;
 - Significant progress towards standardising Microsoft Office software and upgrading Operating Systems across the Corporate Desktop estate; and
 - Completion of a server refresh programme in all secondary schools.

2.29 An update on progress with planned activity for 2012/13, alongside planned developments for 2013/14 is summarised in Appendix 6. Key actions for 2013/14 are:

- The development of roadmaps and replacement plans for ICT assets in line with the ICT strategy; and
- Commencement of implementation of new network infrastructure

Governance

2.30 A cross-service Asset Management Group was established during 2012/13 to oversee the implementation of each of the actions in the six themed action plans. The Asset Management Group reports to the CPAG, which has the lead role in investment planning and delivery of the Corporate Asset Management Strategy.

3. Proposals

3.1 It is proposed that Cabinet agrees to (a) note the progress made by Council services in implementing the 2012/13 asset management action plans; and (b) approve the themed action plans for 2013/14 set out in the appendices.

4. Implications

Financial Implications

4.1 The ongoing development of the Council's Asset Plans will demonstrate robust and prudent management of all of the Council's assets and will result, over time, in more effective investment decisions. All assets will be subject to a transparent prioritisation process to ensure effective targeting of resources.

Human Resource Implications

4.2 There are no direct HR implications.

Legal Implications

4.3 There are no direct legal implications.

Equality Implications

4.4 There are no direct equality implications.

Environmental Implications

4.5 There are no direct environmental implications.

Implications for Key Priorities

- 4.6 Robust asset planning will contribute towards the following SOA outcomes:

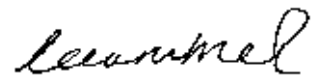
- 10c The condition of roads, footways, path networks and lighting has improved;
- 11b Partnership working between the public, community and voluntary sector has improved;
- 12a Our environment is protected and enhanced;
- 15b Public services are more efficient and effective.

5. Consultations

- 5.1 All Council services have been fully engaged in the development of the Council's approach to asset management and associated action plans. Discussions have taken place during the year with the Scottish Futures Trust, NHS Ayrshire and Arran and neighbouring councils to explore opportunities for joint asset planning and investment.

6. Conclusion

- 6.1 Significant progress has been made during the year in the management of the Council's many and varied assets. This progress is recognised by Audit Scotland and reflected in the removal of asset management from their scrutiny plans for 2013/14.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)


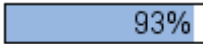



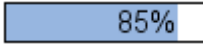
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For further information please contact Yvonne Baulk, Head of Finance and Property on telephone number 01294 324542.






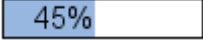


Background Papers






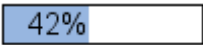


None.


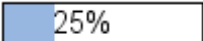



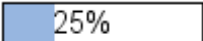

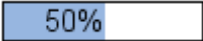
2012/13 Property Asset Management Plan - Detailed Information against all actions


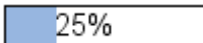

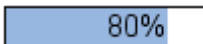


Code	Description	Expected Outcome	Progress Bar	Latest Note	Due Date	Managed By	Assigned To
PAMP_A01	Consolidate and conclude all recent property reviews including; the 3 Towns Area review, Garnock Property Review, Irvine Property, OFWE			2012/13 - Quarter Four Update See update on sub-actions	31-Mar-2013	Yvonne Baulk	Tom Burns
PAMP_A01a	Submit a summary report to CPAG detailing the outstanding projects with recommendations on their future viability and costs implications.			2012/13 - Quarter Four Update Property rationalisation summary report has been prepared. Revenue savings costs have been added. Report will be prepared for CPAG for 25th April 2013.	30-Sep-2012	Yvonne Baulk	Tom Burns
PAMP_A01b	Carry out a property review of the North Coast area			2012/13 - Quarter Four Update Draft report prepared for discussion at Strategic Property Group for 7th March. Following feedback from the Group additional property types were to be added to the settlement plans. A Workshop has been arranged for the 8th April to discuss these plans which will be attended by all Services. The draft report will be updated and submitted to the Strategic Property Group on the 30th April.	31-Dec-2012	Yvonne Baulk	Tom Burns


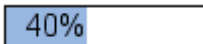


PAMP_A01c	Number of offices will be reduced through the area reviews. Refurbishment of Bridgegate and works at Cunninghame House will incorporate flexible working and greater use of technology which will reduce space requirements.			2012/13 - Quarter Four Update Bridgegate project is underway and on target for completion. Cunninghame House proposals have been approved and Services will be advised of the phased refurbishment programme.	31-Mar-2013	Yvonne Baulk	Tom Burns
PAMP_A02	Explore Partnership opportunities			2012/13 - Quarter Four Update See update on sub-actions	31-Dec-2012	Yvonne Baulk	Tom Burns
PAMP_A02a	Explore and report on any opportunities for joint working which may emerge from the Ayrshire Public Sector property group.			2012/13 - Quarter Four Update GIS maps to facilitate a more proactive approach to identify opportunities for co-location with NHS have been prepared.	31-Dec-2012	Yvonne Baulk	Tom Burns
PAMP_A02b	Continue to develop the shared GIS mapping database with our community partners in NHS, Police, and Fire.			2012/13 - Quarter Four Update Discussions to date have concentrated on NHS/NAC. Asset settlement review of Irvine completed in December, review of the three towns and Kilwinning completed in February and Garnock valley and North Coast was reviewed on 19th April 2013. A workplan will now be agreed with the NHS/NAC for 13/14.	31-Dec-2012	Yvonne Baulk	Tom Burns
PAMP_A03	Review and consolidate property related working groups			2012/13 - Quarter Four Update A list of groups has been	30-Jun-2012	Yvonne Baulk	Tom Burns

				prepared by Property Management & Investment. A governance chart will be prepared and reported to the Strategic Property Group on 30th April 2013.			
PAMP_A04	Review property needs of all Services.			2012/13 - Quarter Four Update See update on sub-actions	31-Mar-2013	Yvonne Baulk	Tom Burns
PAMP_A04a	Establish property requirements and needs of each Service.			2012/13 - Quarter Four Update A report detailing the future capital programme over the next 10 years (2013 -2023) was approved by the Council on the 30th January 2013. The Major and Minor Revenue spend for 2013/14 has been agreed with Services and a programme of planned work is now in place.	30-Sep-2012	Yvonne Baulk	Tom Burns
PAMP_A04b	Review of all red / amber properties to assess actions and financial implications of addressing condition, suitability and sufficiency issues.			2012/13 - Quarter Four Update New Condition surveys, suitability surveys and DDA audits will be input into the Tribal asset management system during 2013/14. The condition surveys will be carried out through to August 2013.	30-Dec-2012	Yvonne Baulk	Tom Burns
PAMP_A04c	A review of leased premises will be carried out and a plan established for the release of properties no longer needed for Service			2012/13 - Quarter Four Update All "internal" and external leased properties have been reviewed and discussed with	31-Jul-2012	Yvonne Baulk	Tom Burns

	delivery.			Services. A further review of all properties leased and used by Services will take place in August 2013.			
PAMP_A04d	Review of the industrial portfolio by the Head of Economic Development in conjunction with Estates.			2012/13 - Quarter Four Update Draft report of the industrial portfolio completed by Economic Development and Estates on 26th November and sent to Head of Development Planning for comment.	30-Sep-2012	Yvonne Baulk	Tom Burns
PAMP_A04e	Review of community type assets which are under-utilised by the Council in accordance with the Council's Community Asset Transfer Policy.			2012/13 - Quarter Four Update Awaiting confirmation on finalisation of Community Transfer Policy. Review of assets for Community Transfer will be based on the agreed Council policy.	31-Dec-2012	Yvonne Baulk	Tom Burns
PAMP_A05	Review of core property management information			2012/13 - Quarter Four Update See update on sub actions	31-Mar-2013	Yvonne Baulk	Tom Burns
PAMP_A05a	Implement the K2 upgrade to the existing asset management software on a module-by-module basis.			2012/13 - Quarter Four Update A "kick-off" meeting was held on 12th March with Tribal regarding to the first modules to go Live which was to be Reactive Maintenance (replacing RACE/PICS System) and Asbestos (currently held in pdf format). Currently in discussions with Tribal regarding an agreed	31-Dec-2012	Yvonne Baulk	Tom Burns

				project plan which will provide a "go live" date for a complete upgrade from Enterprise to K2 instead of module by module.			
PAMP_A05b	Re-tender condition survey contract. Analyse new surveys and report on the required total spend and priority spend to inform capital and revenue investment programmes.			2012/13 - Quarter Four Update Phase 1 programme now underway. 23 surveys have been completed by GVA, 6 of which have been quality assessed and inputted into Tribal as "live" surveys. Progress meetings have been arranged with GVA for the 16th April and 9th May. Meetings with Education will be held following each contact meeting with GVA to pass information over.	31-Dec-2012	Yvonne Baulk	Tom Burns
PAMP_A05c	Identify and report corporately on all property running costs. Review and improve data on capital and revenue investment across all			2012/13 - Quarter Four Update Property costs for 2012 have been finalised	31-May-2012	Yvonne Baulk	Tom Burns
PAMP_A05d	Establish a robust framework and criteria for prioritising property investment.			2012/13 - Quarter Four Update Information and data from the condition surveys will form the basis of a 5 year investment planned maintenance programme for all P1, P2 AND P3 works to be in place for 2014/15 onwards.	31-Dec-2012	Yvonne Baulk	Tom Burns
PAMP_A05e	Establish performance indicators which are clear			2012/13 - Quarter Four Update	31-Dec-2012	Yvonne Baulk	Tom Burns

	and specific. Set appropriate targets to measure performance. Agree hierarchy and timescales for reporting.			KPI's provided from SFT and other Council's. Following input of condition surveys, DDA audits and suitability into Tribal KPI's will be agreed from 2013/14 onwards.			
PAMP_A05f	Identify the Council's benchmarking partners. Analyse and report indicators or targets set by other agencies which may benefit or improve the Council's performance.			2012/13 - Quarter Four Update Performance management across Property Management & Investment is being reviewed and benchmarked against other Council's. These include East Renfrewshire, West Lothian, East and South Ayrshire.	31-Dec-2012	Yvonne Baulk	Tom Burns
PAMP_A06	Options Appraisal on disposal of surplus assets			2012/13 - Quarter Four Update All surplus assets have been re-valued prior to the 31st March 2013 to reflect current market conditions within North Ayrshire. A draft capital receipts programme with the new values has been prepared and will be discussed at the Surplus Property Group meeting to be held on 2nd April.	31-Mar-2013	Yvonne Baulk	Tom Burns
PAMP_A06a	Develop Investment Business Case to include alternative design models and lifecycle costs within the investment business case			2012/13 - Quarter Four Update Lifecycle costs have been prepared for Dreghorn Primary. Further discussion is required on the implementation and	31-Mar-2013	Yvonne Baulk	Tom Burns


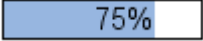



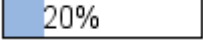




				integration of lifecycle costs within asset management planning.			
PAMP_A06b	Analyse the condition survey data in the Tribal System. Develop a planned maintenance programme to reduce the level of reactive maintenance required in future years.			2012/13 - Quarter Four Update When the condition surveys are being inputted into the Tribal system a RAG status will be developed for identifying defects and maintenance priorities.	31-Mar-2013	Yvonne Baulk	Tom Burns
PAMP_A06c	Develop Corporate Landlord Model to allow decisions to be taken corporately.			2012/13 - Quarter Four Update Complete	31-Oct-2012	Yvonne Baulk	Tom Burns








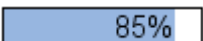


2013/14 Property Asset Management Plan




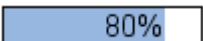


Code	Description	Expected Outcome	Progress Bar	Latest Note	Due Date	Managed By	Assigned To
PAMP_A01	Implement a work plan with the NHS to identify projects that provide future opportunities for joint-working and co-location		<input type="text" value="0%"/>		31-Mar-2014	Yvonne Baulk	Tom Burns
PAMP_A02	Explore Property Partnership opportunities through the Neighbourhood Group approach with other public sector partners eg. Police, Fire, Ambulance Service		<input type="text" value="0%"/>		31-Mar-2014	Yvonne Baulk	Tom Burns
PAMP_A03	Develop a property performance management framework that can be benchmarked with our benchmarking partners		<input type="text" value="0%"/>		31-Mar-2014	Yvonne Baulk	Tom Burns
PAMP_A04	Embed lifecycle costing within the asset management planning process to support capital and major revenue maintenance investment decisions		<input type="text" value="0%"/>		31-Mar-2014	Yvonne Baulk	Tom Burns
PAMP_A05	Assess and report on the impact of the introduction of Building Information Modelling (BIM) legislation on asset management planning		<input type="text" value="0%"/>		31-Mar-2014	Yvonne Baulk	Tom Burns

PAMP_A06	Set up plans for each surplus property with forecasts of likely capital receipts and timescales to formulate a 10 year surplus property project plan		0%		31-Mar-2014	Yvonne Baulk	Tom Burns
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2012/13 Roads Asset Management Plan - Detailed Information against all actions

Code & Title	Expected Outcome	Progress Bar	Latest Note	Original Due Date	Due Date	Assigned To
RAMP_A01 Completion of Inventory data collection for Road Markings, Carriageway and Footway surface types			2012/13 - Quarter Four Update on target for completion based on August 2013 proposed revised date of August 2013.	31-Mar-2013	31-Mar-2013	Susan MacFadyen
RAMP_A02 Identify responsibility for collection of data for road assets where maintenance responsibility lies with other NAC Services.			2012/13 - Quarter Four Update This action has been superseded by the Corporate Landlord model.	31-Mar-2013	31-Mar-2013	Susan MacFadyen
RAMP_A03 Develop a process to analyse customer enquiries and service requests			2012/13 - Quarter Four Update Interface between Lagan and WDM has been problematic and has therefore not progressed. Roads to liaise directly with the Call Centre to develop a process to analyse the required information from Lagan. Proposed date September 2014.	30-Jun-2012	30-Apr-2013	Susan MacFadyen
RAMP_A04 Improve format of contract specific customer questionnaires to ensure responses are relevant to the Roads Service			November 2012 - General Update Review undertaken. Amendment made to form to include respondent's contact details to allow Roads to respond where appropriate. Action complete.	30-Sep-2012	30-Sep-2012	Susan MacFadyen
RAMP_A05 Establish a link between customer feedback and service delivery			January 2013 - General Update Contract specific customer questionnaire responses have been analysed and an initial report completed indicating areas of customer concern. Network to focus on addressing specific concerns through weekly progress meetings with technical staff and supervisors. A progress report will be provided on a six monthly basis to the	30-Sep-2012	31-Dec-2012	Susan MacFadyen









			Team Manager Network in order to continually monitor performance and improve service delivery.			
RAMP_A06 Collect traffic count information on the Island of Arran			2012/13 - Quarter Four Update On target for analysis of one years data at the end of March 2013.	31-Mar-2013	31-Mar-2013	Susan MacFadyen
RAMP_A07 Undertake traffic counts to assess deterioration due to levels of HGV traffic on rural roads			2012/13 - Quarter Four Update Route selection agreed, cost of implementation and analysis of count information being investigated with a view to counts being carried out during 2013.	30-Apr-2014	30-Apr-2014	Susan MacFadyen
RAMP_A08 Develop a formal method of establishing levels of service			2012/13 - Quarter Four Update Levels of service have been agreed through the implementation of the long term Capital investment Plan	31-Mar-2013	31-Mar-2013	Susan MacFadyen
RAMP_A09 Establish clear links between investment and performance			2012/13 - Quarter Four Update Use of the SCOTS financial tools for carriageways and lighting have enabled the effects of different levels of investment on the condition of these core assets to be identified. Financial tools have been issued for Footways and Structures allowing estimates to be made of effects of investment levels for these assets, however, further work is to be carried out through the new SCOTS RAMP project to improve the methodology used for these asset types to enable more accurate forecasts of performance to be made. Proposed revised date 30 June 2014.	31-Mar-2013	31-Mar-2013	Susan MacFadyen
RAMP_A10 Review cost allocations to allow financial information on an asset basis to be easily extracted			2012/13 - Quarter Four Update Additional activity codes created to allow costs to be allocated to individual assets in order that financial information concerning maintenance and replacement costs can be easily extracted from the costing system to	30-Apr-2013	30-Apr-2013	Susan MacFadyen











			inform future investment decisions.			
RAMP_A11 Produce long term funding estimations			2012/13 - Quarter Four Update Long term funding estimations have been produced using the SCOTS cost projection models. Further work will continue through the new SCOTS RAMP Project to ensure the accuracy of long term funding estimates.	31-Mar-2013	31-Mar-2013	Susan MacFadyen
RAMP_A12 To further develop risk assessment matrices			2012/13 - Quarter Four Update Lighting conversion to WDM will be complete by 22nd April 2013. Lighting is currently developing the risk assessment matrix for categorisation of defects, to include external criteria, e.g. crime statistics. Structures use a risk assessment matrix to categorise their defects in accordance with the Inspection Manual for Highway Structures, with assessments recorded in Bridge Management Expert (BMX). Proposed revised date Sept 2013.	30-Sep-2012	31-Mar-2013	Susan MacFadyen
RAMP_A13 Develop a specific risk register for road assets			November 2012 - General Update Road Asset risk register has been completed.	31-Mar-2012	31-Mar-2012	Susan MacFadyen

2013/14 Roads Asset Management Plan - Detailed Information against all actions

Code & Title	Expected Outcome	Progress Bar	Latest Note	Original Due Date	Due Date	Assigned To
RAMP_A01 To carry out a Roads Service customer questionnaire to ascertain current levels of customer satisfaction with the service provided		<div>0%</div>		31-Mar-2014	31-Mar-2014	Susan MacFadyen
RAMP_A02 Produce a Road Maintenance Manual to record procedures, policies and methodologies for all roads assets		<div>0%</div>		31-Mar-2014	31-Mar-2014	Susan MacFadyen
RAMP_A03 Produce formal Lighting Policy Document encompassing the approach to both rural and urban lighting		<div>0%</div>		30-Sep-2013	30-Sep-2013	Susan MacFadyen
RAMP_A04 Introduce an inspection programme for Vehicle Restraint Systems and document a procedure for inspection and maintenance		<div>0%</div>		31-Mar-2014	31-Mar-2014	Susan MacFadyen
RAMP_A05 Detailed structural and condition information to be recorded for all retaining walls		<div>0%</div>		31-Mar-2014	31-Mar-2014	Susan MacFadyen
RAMP_A06 A19 Inventory data for road assets, where maintenance responsibility was previously with other NAC Services, to be collected		<div>0%</div>		31-Mar-2014	31-Mar-2014	Susan MacFadyen

2012/13 Housing Asset Management Plan - Detailed Information against all actions

Code	Description	Expected Outcome	Progress Bar	Latest Note	Due Date	Managed By	Assigned To
HAMP_A01	Develop and implement an Asset Management Plan and Action Plan based on SMART principles for our housing stock, sheltered housing units, garages/lock-up and shops.			September 2012 - General Update Asset Management Strategy approved. Document to be continually reviewed and progress monitored.	31-Mar-2012	Yvonne Baulk	Ian Cathcart
HAMP_A02	Identify an IT strategy detailing how the systems responsible for storing data on the Council Housing Stock integrate and link with each other			2012/13 - Quarter Four Update Strategy now complete, specification for system now fully developed and tender exercise now underway.	30-Jun-2012	Yvonne Baulk	Ian Cathcart
HAMP_A03	Ensure that the information from stock condition surveys is comprehensive and is relevant.			2012/13 - Quarter Two Update 97% of houses have now been surveyed and survey work now complete. The remaining 3% of data relates to hard-to-access properties, where access has not been possible. Data relating to these properties is in the process of being cloned In order to implement a structured asset management approach, future works will be structured around the stock condition data now available.	30-Sep-2012	Yvonne Baulk	Ian Cathcart
HAMP_A04	Monitor and manage programmes of works against SHQS.			2012/13 - Quarter Three Update	31-Mar-2013	Yvonne Baulk	Ian Cathcart


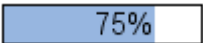



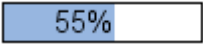
				The target set for 2012/13 has now been achieved and exceeded. Current compliance rate is 88%.			
HAMP_A05	Produce new Standard Delivery Plan.			2012/13 - Quarter Two Update Finalised SDP with Housing Services, who are in the process of writing a Cabinet Report.	30-Jun-2012	Yvonne Baulk	Ian Cathcart
HAMP_A06	Develop housing asbestos policy and management plan in consultation with Corporate H&S, Housing Services and residents.			2012/13 - Quarter Two Update Comments from IDS (HA&I) have been passed to Corporate H&S, who have now finalised the plan.	31-May-2012	Yvonne Baulk	Ian Cathcart
HAMP_A07	Increase the number Management/Type 2 asbestos surveys being carried out.			September 2012 - General Update All relevant management survey data now collected.	30-Nov-2012	Yvonne Baulk	Ian Cathcart
HAMP_A08	Introduce and develop a performance management culture.			September 2012 - General Update Performance indicator framework developed and all relevant information is recorded, monitored and reviewed on a monthly basis.	30-Apr-2012	Yvonne Baulk	Ian Cathcart
HAMP_A09	Develop risk management and create a risk register.			2012/13 - Quarter Four Update Risk register forms part of formal monthly reports. All new major projects now have the requirements for a risk register set out in the Project Implementation Document (PID).	30-Jun-2012	Yvonne Baulk	Ian Cathcart


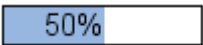
2013/14 Housing Asset Management Plan - Detailed Information on all Actions








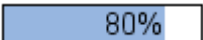


Code & Title	Expected Outcome	Progress Bar	Latest Note	Original Due Date	Due Date	Assigned To
HAMP_A01 Working in conjunction with Building Services and Customer Services, ensure delivery of replacement integrated IT system		<div>0%</div>		31-Mar-2014	31-Mar-2014	
HAMP_A02 Development of a 'Fuel Poverty and Energy Efficiency Strategy,' which fully reflects the requirements of Housing Services		<div>0%</div>		31-Mar-2014	31-Mar-2014	
HAMP_A03 Development and delivery of large-scale mixed tenure external wall insulation schemes, utilising ECO funding and national retrofit monies		<div>0%</div>		31-Mar-2014	31-Mar-2014	
HAMP_A04 Introduce property factoring services and processes, that comply with requirements of the Property Factors (Scotland) Act 2011		<div>0%</div>		31-Mar-2014	31-Mar-2014	
HAMP_A05 Development of Apex Asset Management System that will utilise the asset condition intelligence information to manage the housing stock on the principles of effective asset management		<div>0%</div>		31-Mar-2014	31-Mar-2014	
HAMP_A06 Development of		<div>0%</div>		31-Mar-2014	31-Mar-2014	





section wide quality manual, incorporating revised and standardised policy and procedures for all activities undertaken and services provided						
HAMP_A07 Further develop and implement performance management framework for service, including ongoing review against SHBVN and M3		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	
HAMP_A08 Improve the performance of the client's agent role in respect of housing repairs, via implementing agreed actions to control and reduce spend, whilst delivering an improved service to our tenants		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	
HAMP_A09 Role-out and utilise recognise project management methodology in relation to all capital and major revenue works		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	
HAMP_A10 Deliver SHQS in-line with Housing Services' Business Plan expectations		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	

2012/13 Open Spaces Asset Management Plan - Detailed Information against actions

Code & Title	Expected Outcome	Progress Bar	Latest Note	Original Due Date	Due Date	Assigned To
OSAMP_A01 Finalise Local Development Plan.			2012/13 - Quarter Four Update The Local Development Plan was submitted to Scottish Ministers for Examination by an external independent planning reporter on 15th February 2013. The Examination process is now underway and is anticipated to take 6-9 months to complete. Adoption of the LDP as the new development plan for North Ayrshire will follow thereafter.	31-Oct-2013	31-Oct-2013	David Hammond; Donald Wilson
OSAMP_A02 Complete audit of Open Space and prepare a strategy for adoption.			2012/13 - Quarter Four Update Specialist support procured and work progressing. Project delayed due to time taken to gather baseline data from a number of services. Strategy to be submitted to Members for approval in October 2013. An action plan will be developed as part of the strategy for the implementation of appropriate actions arising from the Strategy. Proposed revised end date 31st August 2013.	31-Mar-2013	31-Mar-2013	Donald Wilson
OSAMP_A03 Expand the range of 'friends' groups to empower communities in the management of open spaces.			2012/13 - Quarter Four Update There are currently four established friends groups within North Ayrshire at Barmill, Holm Plantation (Ardrossan), Ardeer Quarry (Stevenston) and Spiers School. EARS are actively working with two new community groups in Kilwinning & Bourtreehill, Irvine with a view to establishing friends groups for McGavin Park and Bourtreehill Park.	31-Oct-2014	31-Oct-2014	Donald Wilson

<p>OSAMP_A04 Review and develop an action plan to improve information promoting Open Space.</p>			<p>2012/13 - Quarter Four Update A Group consisting of representatives from Streetscene Strategy and Bereavement Services together with the Outdoor Access Officer have created new signage which has been installed within every mainland cemetery in North Ayrshire. In addition, the Streetscene Strategy Team has worked with a community group within Stevenston to establish a heritage trail.</p> <p>Whilst some good work was carried out by this Group it was felt that the original scope of the work being undertaken should be expanded. A new Group has now been established consisting of representatives from Streetscene Strategy and Bereavement Services together with the Outdoor Access Officer, Educational Services, Roads, Economic Development and Communications.</p> <p>The group's objective is to develop a strategic, coordinated approach towards signage and interpretation across the Council and with partner organisations. The remit of the Group includes open space signage. The aim of the group is to enable the Council to promote its Civic Pride and its Regeneration agenda and ensure a consistent visual identity and message across all projects and activities.</p> <p>Work is continuing to agree and produce a strategic coordinated approach in the development and delivery and interpretation signage activities across the Council.</p>	<p>31-Oct-2012</p>	<p>31-Mar-2013</p>	<p>Donald Wilson</p>
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			Proposed revised date 31st March 2014.			
OSAMP_A05 Establish burial space within cemeteries on Arran.			2012/13 - Quarter Four Update The survey on all six cemeteries on Arran is complete and the final report which will identify the current capacity of each cemetery will be available by the 29 April 2013. The slight delay in the survey work has been as a result of poor weather and ground conditions.	30-Sep-2012	31-Dec-2012	Donald Wilson
OSAMP_A06 Devise a Tree and Woodland Management Policy			2012/13 - Quarter Four Update Tree & Woodland Management Policy was agreed at Cabinet on the 12 March 2013.	30-Apr-2012	30-Apr-2012	Donald Wilson
OSAMP_A07 Place Streetscene maintenance schedules on the Council's website.			2012/13 - Quarter Four Update Maintenance schedules have been placed on the website.	30-Sep-2012	30-Nov-2012	Donald Wilson
OSAMP_A08 Complete service level agreements (SLA's) in respect maintenance.			2012/13 - Quarter Four Update The final draft of the Service Level Agreement for Housing Services has been completed and arrangements are being made with Housing to finalise the agreement. The measurements, specification of works and bill of quantities have been established for Education premises which will form the basis of a Service Level Agreement. Meetings are being arranged with Housing Services and the management team responsible for the management of Educational Services property portfolio to agree the Service Level Agreements. Meetings are being scheduled to take place during April and May 2013. Proposed revised end date 30th June 2013.	31-Mar-2013	31-Mar-2013	Donald Wilson
OSAMP_A09 Review and update water safety policy.			2012/13 - Quarter Four Update The Water Safety Policy has been reviewed and was presented to the Environment and	30-Jun-2012	30-Jun-2012	Donald Wilson









			Infrastructure Policy Board and approved by Cabinet in March 2013.			
OSAMP_A10 Devise and implement an inspection programme for decorative lighting units.			October 2012 - General Update The inspection programme for decorative lights has been completed and the first tranche of inspections have been carried out along the Largs promenade.	30-Sep-2012	30-Sep-2012	Donald Wilson
OSAMP_A11 Digitally map all assets.			2012/13 - Quarter Four Update The digital mapping of assets is progressing. It is anticipated that this will be completed by the end of June 2013. A number of the assets will be mapped through the audits being conducted as part of the development of the open space strategy. Proposed revised end date of 30th June 2013.	31-Dec-2012	31-Jan-2013	Donald Wilson




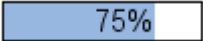






2013/14 Actions Open Spaces Asset Management Plan - Detailed Information against actions



Code & Title	Expected Outcome	Progress Bar	Latest Note	Original Due Date	Due Date	Assigned To
OSAMP_A_A01 Develop and implement the Open Space Action Plan		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	Gordon Mitchell
OSAMP_A_A02 Implement Year 2 of the Cemetary Walls & Pathways Project		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	

Fleet Asset Management Plan - Detailed Information against all actions

Code & Title	Expected Outcome	Progress Bar	Latest Note	Original Due Date	Due Date	Assigned To
FAMP_A01 Review the use of externally hired vehicles.			2012/13 - Quarter Four Update This is a continuous action and will be carried forward to 2013/14. A protocol for hiring vehicles is in place to ensure their use is minimised. The Transport Hub will continue to engage with service users on vehicle requirements and utilise owned vehicles where available.	31-Dec-2012	31-Dec-2012	Gordon Mitchell
FAMP_A02 Complete the exercise to inspect and record all items of plant across ERS.			September 2012 - General Update All items of plant across EARS have been inspected and recorded.	30-Apr-2013	30-Apr-2013	Gordon Mitchell
FAMP_A03 Determine replacement value of the plant assets.			2012/13 - Quarter Four Update All Council owned plant and tool assets have now been identified and recorded on the Fleet Management System, all allocations, service records and usage is now logged at a central location. The estimated replacement value of the plant assets is £750,000.	30-Jun-2012	30-Apr-2013	Gordon Mitchell
FAMP_A04 Procure a vehicle tracking and routing system to facilitate efficient use of assets.			September 2012 - General Update A vehicle tracking system has been procured with an installation programme due to commence in October 2012.	30-Jun-2012	30-Jun-2012	Gordon Mitchell
FAMP_A05 Develop and implement the Corporate Transport Hub.			2012/13 - Quarter Four Update The Fleet Officer is now in post and the resources transferred from Education are now operating within the Hub location. The Transport Hub is now live (from 1st April 2013). This action will continue into 2013/14 as further developments and	31-Dec-2012	30-Apr-2013	Gordon Mitchell

			implementations may be identified on start up.			
FAMP_A06 Support service reviews that utilise transport.			2012/13 - Quarter Four Update This action will be carried forward to 2013/14 as the Transport Hub will continue to support service reviews that utilise transport. Reviews supported during 2012/13: Waste Services - specify and procure suitable vehicles for the introduction of food waste collection; Social Services - Review existing 32 seat buses, specify and procure more suitable and environmentally friendly vehicles tailored to accommodate service users; Roads Service - Review winter maintenance vehicles, specify and procure suitable replacements for delivery in September 2013; Facilities Management - build up specification for suitable food transportation vehicles for 'hub' kitchens.	31-Mar-2013	31-Mar-2013	Gordon Mitchell
FAMP_A07 Agree planned maintenance and inspection programme for all items of plant.			2012/13 - Quarter Four Update Maintenance programme agreed for all plant items.	30-Sep-2012	30-Sep-2012	Gordon Mitchell
FAMP_A08 Procure all replacement vehicles with the latest European emission standard (Euro 5).			2012/13 - Quarter Four Update This action will be continued onto 2013/14 as all future vehicles procured will meet the latest European emission standard, currently Euro 5 with the introduction of Euro 6 in the later part of 2014.	31-Mar-2013	31-Mar-2013	Gordon Mitchell
FAMP_A09 Evaluate alternative and hybrid powered vehicles and where appropriate utilise within the replacement programme.			2012/13 - Quarter Four Update All replacement vehicles purchased during 2012/13 were evaluated. All vans were procured with smaller more fuel efficient engines with start stop technology. Six additional refuse collection vehicles were purchased with Mercedes-Benz Econic	31-Mar-2013	31-Mar-2013	Gordon Mitchell









			Engines. The Econic's environmentally friendly engines offer reduced noise, reduced fuel consumption and reduced emissions.			
FAMP_A10 Upgrade the fleet management system to provide an effective fleet management tool.			September 2012 - General Update The upgraded fleet management system was installed in March 2012.	31-Mar-2012	31-Mar-2012	Gordon Mitchell
FAMP_A11 Complete Service Level Agreements (SLA's) with service users.			2012/13 - Quarter Four Update Draft SLA's completed. These will be reviewed following formalities of the transport hub for implementation in September 2013.	31-Oct-2012	30-Apr-2013	Gordon Mitchell
FAMP_A12 Determine future vehicle replacement programme and funding requirement as part of the transport hub.			2012/13 - Quarter Four Update Programme in place and funding allocated within ten year capital plan.	31-Mar-2013	31-Mar-2013	Gordon Mitchell
FAMP_A13 Establish plant replacement plan and appropriate finance mechanism.			2012/13 - Quarter Four Update Review carried out March 2013.	30-Sep-2012	30-Apr-2013	Gordon Mitchell
FAMP_A14 Review the method of purchasing and financing vehicles.			2012/13 - Quarter Four Update An exercise in March 2012 compared the methods of leasing and capital purchase for thirty-six Transit type derivatives. At that time there was no clear differential between the financial benefit of each model. However as capital finance is available to support outright purchase there are a number of inherent benefits. 1) Avoidance of end of lease costs, particularly in respect of annual mileage and return condition; 2) Flexibility in respect of use and length of	31-Mar-2013	31-Mar-2013	Gordon Mitchell


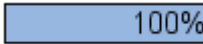




			ownership 3) Avoidance of early termination penalties should service reviews identify the requirement for a different type of vehicle. 4) Negates premium lease payments to compensate for low residual values associated with specialist vehicles with limited second-hand opportunities.			
FAMP_A15 Update the Council's Fleet Asset Management Plan			2012/13 - Quarter Four Update Transport management are continuing to review the actions and risks associated with the plan. Progress updates have been provided for 2012/13 and new actions identified for 2013/14.	31-Mar-2013	31-Mar-2013	Gordon Mitchell







2013/14 Fleet Asset Management Plan - Detailed Information against all actions





Code & Title	Expected Outcome	Progress Bar	Latest Note	Original Due Date	Due Date	Assigned To
FAMP_A01 Review the use of externally hired vehicles		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	Gordon Mitchell
FAMP_A02 Review and further Develop the Corporate Transport Hub.		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	Gordon Mitchell
FAMP_A03 Evaluate alternative and hybrid powered vehicles and where appropriate utilise within the replacement programme		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	Gordon Mitchell
FAMP_A04 Review the method of purchasing and financing vehicles		<input type="text" value="0%"/>		31-Mar-2014	31-Mar-2014	Gordon Mitchell



2012/13 ICT Asset Management Plan - Detailed Information against all actions



Code	Description	Expected Outcome	Progress Bar	Latest Note	Due Date	Managed By	Assigned To
ICT	ICT Asset Management Action Plan				31-Mar-2015	Gavin MacGregor	Alan Blakely
ICTAMAP_A01	Work with Education to review the identification and monitoring of their IT assets in schools and to consider centralising control within IT Services.			March 2013 - General Update Education & Skills are reviewing the information and data collated through the survey to determine whether current methods are adequate or whether a revised approach is required. The outcome of this review will be taken forward as a new action in the 2013/2014 action plan.	31-Dec-2012	Gavin MacGregor	Iain Chisholm
ICTAMAP_A02	Review of IT licences across all services to consider centralising control within IT Services.			March 2013 - General Update The information has been collated into one source document and reviewed. Consideration of centralisation and of the resource requirement will be taken forward.	31-Mar-2013	Gavin MacGregor	Iain Chisholm
ICTAMAP_A03	Review of Council IT Support contracts across all Services to consider centralising control within IT Services.			March 2013 - General Update The information has been collated into one source document and reviewed. Consideration of centralisation	31-Mar-2013	Gavin MacGregor	Iain Chisholm

				and of the resource requirement will be taken forward.			
ICTAMAP_A04	Undertake SOCITM benchmarking and develop and implement action plans			September 2012 Update - Survey results were available in December 2011. Priorities highlighted by users include, poor network, poor desktop equipment and non standard office application. The ICT Development Programme and ICT Strategy also highlighted these as priorities and progress is underway. Further analysis of the findings is overdue (June 2012).	30-Sep-2014	Gavin MacGregor	Margaret Gordon; Lorna Morley
ICTAMAP_A04a	Undertake benchmarking exercise in 2012 Q4 and develop action plan from results. Develop action plan 2013 Q1. Implement action plan 2013 Q2 and Q3.			2012/13 - Quarter 4 Update Benchmarking exercise complete. Analysis of findings complete. Action plan implemented. This is an annual survey so should be considered for Asset Management Plan 2013/14 to ensure we remain a competitive service provider.	30-Sep-2013	Gavin MacGregor	Lorna Morley
ICTAMAP_A04b	Undertake benchmarking exercise in 2013 Q4 and develop action plan from results. Develop action plan 2014 Q1. Implement action plan 2014 Q2 and Q3.			October 2012 - General Update Next survey Q3 2013. Survey results were available in December 2011. Priorities highlighted by users include, poor network, poor desktop equipment and non standard	30-Sep-2014	Gavin MacGregor	Lorna Morley

				<p>office application. The ICT Development Programme and ICT Strategy also highlighted these as priorities. All actions have been incorporated into ICT Development Plan 2012 and ICT Strategy 2011-16 action plan and are actioned/managed as part of this process.</p> <p>Desktop replacement, network infrastructure and MS Office 2010 are all being implemented as 3 year capital programmes from 2012-2015. Desktop replacement is ahead of target.</p>			
ICTAMAP_A04c	Following the outcome of the previous survey and the SOCITM star rating a separate project team will be established to redevelop our website. NAC will therefore not take part in the 2012 survey.			<p>2012/13 General Update SOCITM Better Connected Survey will not be undertaken this year therefore there is no action to report on.</p>	01-Dec-2013	Gavin MacGregor	Margaret Gordon
ICTAMAP_A05	Develop roadmaps and replacement plans for ICT assets in line with the ICT Strategy			<p>February 2013 See sub -headings</p>	31-Mar-2013	Gavin MacGregor	Iain Chisholm; Lorna Morley; Brendan Quigley
ICTAMAP_A05a	Desktop Replacement Programme			<p>2012/2013 General Update - Update Desktop Replacement Programme for 2012/13 is complete and funding (£70K - 40% of next years funding) has been drawn forward from 2013/14 to continue</p>	31-Mar-2013	Sandra McGregor	Lorna Morley

				programme. This programme updates corporate desktop assets over a 3 year period.			
ICTAMAP_A05b	Microsoft Enterprise Agreement Stage 1 Deployment of Microsoft's Software Control Centre (MS SCCM) to Corporate desktop estate to allow easy remote support to desktops. Deployment of Microsoft Office 2010 to Corporate desktop estate. Offer Microsoft's Home User Program to Corporate desktop users.			March 2013 - General Update SCCM functionality has been pushed out to the majority of Desktop estate - this has enabled additional use of remote support for Desktops and this will be further developed. Office 2010 will be rolled out to all of Cunninghame House, upgrading users who currently have older versions of MS Office. Further sites will follow on. MS Home User Program has been offered to all relevant staff	31-Mar-2013	Gavin MacGregor	Iain Chisholm
ICTAMAP_A05c	A review of key corporate applications in line with Objective 3: Maximising the use of Core Business Applications. Action 1 of the ICT Strategy 2012 to 2016 highlights a need to undertake a strategic assessment of all major applications to determine their appropriateness to continue to deliver services over the next 5 years and take cognisance of the transformational change programme.			Strategic Applications Review A review of the following key business applications was undertaken: <ul style="list-style-type: none"> • Paris • CHRIS • Masterpiece FMS • CARS • Iworld Revenues and Benefits • IWorld Housing • UNIFORM • NDR IT Services along with the stakeholder Services are	31-Mar-2013	Gavin MacGregor	Brendan Quigley

	<p>The Review will take place in two distinct phases:</p> <p>Phase one: <i>Paris Income Management; CHRIS HR and Payroll; Masterpiece Financial Management; CARS Debt Recovery; IWorld Revenues and Benefits; IWorld Housing; UNIFORM; Non Domestic Rates; Asset management (ARMS and APEX); and Lagan ECM.</i></p> <p>Phase two: <i>To be scoped and agreed.</i></p>			<p>rationalising the findings and will prepare business cases for any upgrades or replacement requirements.</p>			
ICTAMAP_A06	<p>Key Servers and Comms equipment assets are managed through 3 Year Maintenance contracts which will be reviewed and renewed as appropriate through competitive tendering</p>			<p>March 2013 - General Update Server estate: Over 100 servers in the Corporate Data centre have been virtualised into 7 host servers and the Virtual environment maintenance is on a 3 year contract. The remaining physical servers are on 3 Year maintenance contracts from new or are on extended warranty contract to prolong service life. In addition due to local requirements or network limitations it is still essential to maintain some of the physical server estate at outlying locations. Network Hardware The Council approved procurement of contracts to</p>	31-Mar-2013	Gavin MacGregor	Iain Chisholm

				<p>upgrade Wide Area Network (WAN), Local Area Network (LAN), Corporate Telephony system using IP Telephony and Wireless Networks (WLAN) in the schools estate. These contracts will be procured with 5 year support and maintenance.</p> <p>The tender process for these procurements is nearing completion and it is expected that contracts will commence early in the 2013/2014 year.</p>			
ICTAMAP_A07	Carry out regular analysis of IT support and maintenance contracts			<p>March 2013</p> <p>These contracts are reviewed in line with Revenue budgets. All new Capital investment includes consideration of Revenue budget impact.</p>	31-Mar-2013	Gavin MacGregor	Iain Chisholm

2013/14 ICT Asset Management Plan - Detailed Information against all actions

Code	Description	Expected Outcome	Progress Bar	Latest Note	Due Date	Managed By	Assigned To
ICTAMAP_A01	Work with Education and Skills on the outcome of the review of IT assets management carried out in 2012/13		<input type="text" value="0%"/>		31-Dec-2013	Gavin MacGregor	Alan Blakely
ICTAMAP_A02	Consolidate all Services IT Licences and IT Support Contracts within IT Services		<input type="text" value="0%"/>		31-Mar-2014	Gavin MacGregor	Alan Blakely
ICTAMAP_A03	Review SOCITM benchmarking KPI measures and develop improvement plan		<input type="text" value="0%"/>		31-Mar-2014	Gavin MacGregor	Alan Blakely
ICTAMAP_A04	Develop roadmaps and replacement plans for ICT assets in line with the ICT Strategy		<input type="text" value="0%"/>		31-Mar-2015	Gavin MacGregor	Alan Blakely
ICTAMAP_A05	Implement New Network Infrastructure		<input type="text" value="0%"/>		31-Mar-2015	Gavin MacGregor	Alan Blakely
ICTAMAP_A05a	Wide Area Network (WAN)		<input type="text" value="0%"/>		31-Mar-2015	Gavin MacGregor	Alan Blakely
ICTAMAP_A05b	Local Area Network (LAN)		<input type="text" value="0%"/>		31-Mar-2015	Gavin MacGregor	Alan Blakely
ICTAMAP_A05c	IP Telephony (IPT)		<input type="text" value="0%"/>		31-Mar-2015	Gavin MacGregor	Alan Blakely
ICTAMAP_A05d	Wireless Networks in Schools (WLAN)		<input type="text" value="0%"/>		31-Mar-2015	Gavin MacGregor	Alan Blakely

NORTH AYRSHIRE COUNCIL

Agenda Item 5

14 May 2013

Cabinet

Subject: **The Future Provision of Burial Space**

Purpose: To seek the approval of Cabinet of a strategic approach to the future provision of burial space within North Ayrshire.

Recommendation: That Cabinet agree that, as existing Cemeteries reach capacity, future burial space be provided on a locality basis.

1. Introduction

- 1.1 As part of the Council's 10 year capital plan, agreed at the meeting of Council on the 30 January 2013, £4.688m was allocated to provide additional burial space over this period. During the Elected Member budget planning workshops it was agreed that a strategic approach be developed to the future provision of burial space in recognition of the financial constraints facing the public sector.

2. Current Position

- 2.1 The Council is responsible for the operation of 40 Cemeteries and Churchyards within the area, of these 18 continue to receive burials. The service manages approximately 800 burials per year of which, on average, half require new lairs.
- 2.2 The annual revenue costs of providing the burial service and maintaining these cemeteries is approximately £1.2m of which £432,000 is recovered through fees and charges. In addition, as part of the 2012/13 budget setting exercise, capital investment of £1m was allocated to reconstruct walls, pathways and other infrastructure within the cemeteries over the period to 2015/16. A service review of this operational delivery area was undertaken in 2011 as part of the wider creation of the Streetscene Service.
- 2.3 An assessment of the remaining available burial space has identified, that at current projections, that 10 of the 18 cemeteries, that continue to receive burials, will reach capacity over the next 10 years.

- 2.4 In determining new sites for cemeteries it is necessary to undertake intrusive ground investigation works to ensure that the site has adequate natural drainage, is not subject to mine workings, is free from contamination, has an adequate depth of soil to enable multiple interments and has a topographical consistency. Furthermore any site must be located in an area of tranquility, have good public transport and road links and be adequately served by utilities for the associated buildings. In recent years these requirements have resulted in the need to purchase land from private landowners to allow replacement facilities within existing settlements.
- 2.5 In addition to the capital requirements associated with the development of new cemeteries additional revenue budgets are required for their operation and maintenance. The current approach of replacement on an individual basis results in both capital and revenue expenditure being greater than that incurred through the development of a smaller number of larger cemeteries on an area by area or locality basis.
- 2.6 In developing a sustainable strategic approach to the provision of burial space, an opportunity exists to provide future burial space based on requirements within previously agreed Council localities.

3. Proposals

- 3.1 That Cabinet agree that as Cemeteries reach capacity the future development of burial space be provided on a locality basis.

4. Implications

Financial Implications

- 4.1 The proposals will enable the development of new facilities with the capital allocated and will minimise the budgetary revenue growth required to provide the future burial space required within the area.

Human Resource Implications

- 4.2 There are no human resource implications.

Legal Implications

- 4.3 The Council has a statutory obligation under the Burial Grounds (Scotland) Act 1855 to provide ground for the interment of the dead.

Equality Implications

- 4.4 There are no Equality Implications.

Environmental Implications

- 4.5 There are no environmental implications at this time however on the identification of preferred sites approval will be required from Scottish Environment Protection Agency (SEPA).

Implications for Key Priorities

- 4.6 The proposed approach will support the core objective of delivering efficient and effective services.

Community Benefit Implications

- 4.7 There are no implications at this stage.

5. Consultations

- 5.1 There have been no consultations in the preparation of this report.

6. Conclusion

- 6.1 A large percentage of the cemeteries operated by the Council will reach capacity over the next 10 years. The development of a replacement programme by locality will allow a more cost effective approach to the duty to provide sufficient burial space within the area.



CRAIG HATTON

Corporate Director (Development and Environment)

Reference : CGM4/1/CH/RMcC/LB

For further information please contact Donald Wilson, Streetscene Manager, on telephone number 01294 541526

Background Papers

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NORTH AYRSHIRE COUNCIL

Agenda Item 6

14 May 2013

Cabinet

Subject: **Copeland Crescent and Kames Street Road Reinstatement**

Purpose: To seek Cabinet approval for Housing Services to draw on £150,000 of the uncommitted HRA balances to fund the reinstatement of the road at Copeland Crescent and Kames Street, Millport.

Recommendation: That the Cabinet agrees to (a) approve the use of £150,000 from existing HRA uncommitted balances for the required road repairs; and (b) the Council's Roads service carries out the agreed repair.

1. Introduction

- 1.1 On 4 September 2012, the Cabinet approved the appointment of the construction contractor at the Copeland Crescent, Millport development. This project will deliver 12 new amenity standard Council housing units on the island, where there is a significant shortage of housing for older people.
- 1.2 The successful contractor, Morris and Spottiswood Ltd commenced work on site at this development on 19 November 2012. The projected completion date for this project is September 2013.
- 1.3 As part of this development, excavation took place to install a sewer and other services along Kames Street and Copeland Crescent, adjacent to the site. When this work commenced, the existing road construction did not meet the highway specification. During a joint inspection with Housing Services, the Council's Roads service and the on-site contractor, it was found that no sub base had been installed (generally 400mm is required dependent on ground conditions) and only 70mm or less of tar was laid directly on the natural ground surface, instead of the normal 150mm.
- 1.4 The necessary excavations and heavy site traffic have deteriorated the road significantly since the development began. This has resulted in the road surface cracking and deteriorating to such an extent that some of the kerbing has dropped. Upon further investigation, it was noted that the kerbs were set directly into the natural soils causing them to drop when the excavation was opened. In addition to this, the footpaths have also deteriorated in places.

- 1.5 During the planning stage of any development, the required budget is set and consideration is given to the income streams available for funding the development. Within the Housing Revenue Account (HRA) 30 year business plan, provision is made for the development of 500 new build council houses over 10 years. Funding for this development was previously agreed by Cabinet on 4 September 2012 and was within the parameters set out in the HRA business plan. In line with effective financial controls, the approved budget and expected spend for this project were profiled over the required timescales.

2. Current Position

- 2.1 The expected financial out-turn for this project is in line with the approved budget; therefore, there is little scope to accommodate any significant level of unforeseen costs, particularly. A contingency of £66,000 is still available for this project; however, Armour Construction Consultants, the independent consultant for this project has recommended that this amount is retained for smaller unforeseen variations.
- 2.2 The roads at Copeland Crescent and Kames Street have currently been backfilled to surface level and await final reinstatement.
- 2.3 An essential requirement for the site completion is the adoption of the road by the Council's Roads service. However, this will only take place if the road is repaired to an agreed standard. Housing Services has held meetings with both the Council's Roads service and the approved on-site contractor, Morris and Spottiswood. Indicative costs for repairs to bring the roads up to the agreed standard were requested from both parties. The price for the work to be carried out was quoted as £150,000 and £151,093, respectively.
- 2.4 During the course of budgetary control, underspends have been identified within the Housing Revenue Account. The budgetary control statement presented to Cabinet on 26 March 2013 showing the Period 10 projections, identified a projected uncommitted HRA balance of £2.306m. The details against this uncommitted balance stated that the funds would be "used to mitigate the impact of welfare reform. In addition to this, a review of the HRA business plan is about to be undertaken, which is likely to result in additional funding requirements".
- 2.5 The definitive cost of welfare reform is at the moment unknown. However, it is likely that the cost will be recurring and, as such, cannot be supported, on an on-going basis, by uncommitted balances. There will instead be a requirement to adjust services or spend in line with any changes in the level of available income. The use of £150,000 from the uncommitted HRA balance will, therefore, have a minimal impact on how we plan and deliver services in the future.

- 2.6 The review of the HRA Business Plan is currently ongoing and as yet none of the HRA balance has been committed for a specific use.

3. Proposals

- 3.1 It is proposed that the additional funding for the required road repair of £150,000, be drawn from the HRA uncommitted balances, which were projected to be £2.306m as part of the budgetary control projections for the year to 31 January 2013. It is not envisaged that spend of this level would not hinder any future changes to the business plan or significantly impact on our ability to deal with any fluctuations in income or expenditure.
- 3.2 It is proposed that the Council's Road service carries out the work at this site. This will ensure the road works are carried out to the agreed standard and will facilitate the future adoption of this road by Roads.

4. Implications

Financial Implications

- 4.1 The quotes provided to complete this repair by the Council's Roads service and the on-site contractor are shown in paragraph 2.3 above. As this repair is an unforeseen cost, we are seeking to draw on uncommitted HRA balances. As at Period 10, this balance was projected to be £2.306m. If this funding option was approved, the projected balance would reduce to £2.156m.
- 4.2 It should be noted that the balance of £2.306m noted above is based on projections and this figure may change when the final year end position is known.

Human Resource Implications

- 4.3 There are no human resource implications associated with this proposal.

Legal Implications

- 4.4 There are no legal implications associated with this proposal.

Equality Implications

- 4.5 There are no equality implications associated with this proposal.

Environmental Implications

- 4.6 There are no environmental implications with this proposal.

Implications for Key Priorities

4.7 As this proposal is fundamental to the the site completion and delivering amenity housing units in an island community, this will support the Single Outcome Agreement between North Ayrshire Council and the Scottish Government specifically:

- National Outcome 10 - "We live in well defined, sustainable places where we are able to access the amenities and services we need"
- Local Outcome 10b - "Availability of affordable housing has improved"
- National Outcome 6 - "We live longer, healthier lives"
- Local Outcome 6a - "Health and well-being throughout life have improved"
- Local Outcome 6d - "More vulnerable people are supported within their own communities"

5. Consultations

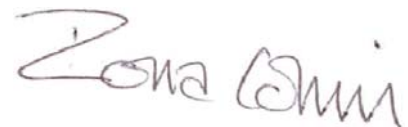
5.1 Consultation has taken place with the required Council services and departments in the preparation of this report. These include:

- Finance and Property: Financial Management
- Development Planning: Roads

5.2 Ongoing consultation will take place with the Council's Roads service to ensure the work is completed to the required standard to facilitate the completion of the site and subsequent adoption of the road by Roads.

6. Conclusion

6.1 If approval is given, this will allow the successful completion of the development and contribute to addressing the shortfall of suitable housing for older people on Cumbrae.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : DH/1360/13

For further information please contact Alex Adrain, Divisional Manager
Housing Services on telephone number 01294 324641

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 7.1

14 May 2013

Cabinet

Subject: Making Justice Work; The Courts Reform (Scotland) Bill

Purpose: To advise Cabinet of the details of the above consultation paper and its implications and to seek agreement to the Council's response to the Scottish Government

Recommendation: That Cabinet agrees to (a) approve the comments set out in Appendix 1 as the Council's response to the Consultation; and (b) consider instructing officers to prepare a proposal for a Specialist Court.

1. Introduction

- 1.1 The current court system has been in place for many years and following a review led by Lord Gill in 2009 it was concluded that the system is in need of reform. In response to the Review, the Scottish Government has issued a consultation document 'Making Justice Work' and a draft Courts Reform (Scotland) Bill. The Government's aim is to reform the current court system to make it more affordable, efficient and fair. The consultation relates to proposed changes to the civil court system and to summary criminal cases (criminal cases which are not considered by juries).

2. Current Position

- 2.1 The current system is as follows :-

Court of Session (based in Edinburgh) – can deal with civil cases with a value over £5000. It has exclusive jurisdiction in judicial review and other areas including exchequer cases and actions under the Hague convention.

Sheriff Court (our local Sheriff Court is in Kilmarnock)– deals with less complex civil cases. It also deals with summary criminal cases which are heard by a Sheriff and criminal cases heard by a Sheriff and jury.

Appeals

Appeals from the civil cases are heard by the Sheriff Principal who usually hears the case in the local court or Paisley Sheriff Court where he is based. Appeals in criminal cases are dealt with by the High Court.

Consultation

- 2.2 The draft Bill takes into account the recommendations of Lord Gill's Review. In summary the pertinent parts of the Bill are as follows: -
- 2.3 Business will be moved from the Court of Session to the Sheriff Court. Lord Gill had recommended that actions over £50,000 in value would remain with the Court of Session. The draft Bill proposes that actions up to the value of £150,000 will be dealt with by the Sheriff Court. There are provisions within the Bill to include remit to the Court of Session in certain cases if importance or complexity make it appropriate. There is provision for joint jurisdiction in respect of family actions by both the Sheriff Court and the Court of Session unless the only matter relates to aliment under the threshold.
- 2.4. A new judicial tier of "Summary Sheriff" is to be created for dealing with some cases in the Sheriff Court. The qualifications of the Summary Sheriff will be the same as those for an ordinary Sheriff. The current office of Stipendiary Magistrate will be abolished and those Magistrates will become Summary Sheriffs.
- 2.5 The Summary Sheriffs will deal with a large number of cases in the Court – those with a value of up to £5,000 or which fall within the following categories:
 - (a) Family proceedings including divorce, declaration of parentage, declarator of marriage, civil partnerships, aliment, the Matrimonial Homes Act, Civil Partnership Act etc (not a complete list).
 - (b) Domestic abuse proceedings including matrimonial and domestic interdicts and Exclusion Orders.
 - (c) Children's Hearings proceedings.
 - (d) Warrants and Interim Orders.
 - (e) Diligence proceedings (debt recovery)
 - (f) Cases which can be dealt with by simple procedure i.e. those under the value of £5,000.
- 2.6 Sheriffs would also have concurrent jurisdiction in these areas. In practical terms for the Council, this means that the vast majority of Council business will be done by summary procedure – housing, child care issues, debt collection and in all probability Adults With Incapacity and Adult Support and Protection actions.

- 2.7 A Sheriff Appeal Court will be established, abolishing the current system. This court will deal with both civil and criminal appeals. The Bill states that the Sheriff Appeal Court can be held in any place in Scotland designed for the holding of Sheriff Courts. In our proposed consultation response it has been stated that the Appeal Court should be held within the sheriffdom in the interests of ensuring that local people do not have to travel any further than is necessary.
- 2.8 The draft Bill provides that the Lord President (a Court of Session judge) may determine categories of cases for judicial specialisation with power to confer all Scotland jurisdiction for “specified” cases. The specification will be done by Order of court. The categories may be determined by value, subject matter or such other criteria as the Lord President considers appropriate. Where such a determination is made, the Sheriff Principal may designate one or more Sheriffs (including Summary Sheriffs) to deal with that category of case in the Sheriffdom. The explanatory notes to the draft Bill advise that it is anticipated that the categories of designation may include personal injury, family, housing, commercial, general civil and solemn crime. Other areas of specialisation may be desirable depending on the specific circumstances and requirements of particular Sheriffdoms.
- 2.9 The only confirmed provision for the establishment of a specialist court is made for a specialist injury court. This will have all Scotland jurisdiction and will primarily be based within Edinburgh Sheriff Court. There is provision to set up a specialist injury court elsewhere in Scotland although no location is given. There is provision in the Bill for civil jury trials to be held in the Specialist Injury Court as well as the Court of Session.
- 2.10 Whilst the draft Bill provides for specialisation of the judiciary it does not include any commitment or indication for these specialisations to take place other than within the existing court estate albeit alternative locations are not precluded. The draft Bill states that the Sheriff Courts are to continue to be held at places that they were being held immediately before the new Bill becomes law.
- 2.11 This may create pressure on existing court capacity to accommodate the potential increase in business as a result of the transfer of business from the Court of Session notwithstanding the apparent decrease in civil business.
- 2.12 Judicial Review will remain with the Court of Session and will include a three month time limit to raise the action from the date upon which the grounds for the application arose or such longer period as the Court of Session considers equitable. This will assist the authority in respect that the period for challenge is restricted. There is also provision within the draft Bill that leave will be required to raise action to include sufficient interest and prospects of success. Again this will assist in reducing the possibility of more spurious actions and challenges.

- 2.13 There are provisions about the regulation of Court procedures and processes. These includes the introduction of:
- “Simple procedure” in cases of up to £5,000.
 - Commitment to encouraging settlement of disputes and the use of alternative dispute resolution procedures.
 - Pre-commencement action protocols.
- 2.14 This is all with a view to limiting the complexity of actions, encouraging parties to use alternative solutions to free up Court time.

3. Proposals

- 3.1 The Cabinet is invited to approve the comments set out in Appendix 1 as the Council's response to the Consultation. A summary of the response is as follows:
- Increasing the threshold for raising actions in the Court of Session may result in the Council having to be represented there on fewer occasions which will have a cost saving. The threshold level proposed of £150000 is greater than that suggested in the Review of £50000. Concern that with the redistribution of business to the Sheriff Court to the extent proposed, will result in increased pressure in terms of business and accommodation which may lead to inefficiencies and delay. Consideration should be given to locating satellite courts in other centres of population to permit quicker and easier access to justice.
 - Summary Sheriffs need to be properly experienced and qualified
 - The new Sheriff Appeal Court should hear cases within the Sheriffdom and preferably in the local court to avoid inconvenience and inefficiency if solicitors have to travel to a court in another area.
 - It is anticipated that the establishment of a specialist injury court will result in cost savings in the conduct of cases which would previously have been heard in the Court of Session
 - The proposal for specialist courts is welcomed provided they sit locally. Comment is made that fewer tenants in North Ayrshire housing cases attend court possibly due to the distance of the court from individual's homes. This deficiency in process should be addressed to enable those sectors of the population and particularly those who experience significant levels of deprivation to have access to justice.

- The introduction of a 3 month time limit for raising actions of Judicial review is considered advantageous and will assist in certainty of approach for authorities at local level.
- Comments are made on the suggested proposals for court procedures.
- The proposals for enforcing warrants and interim orders across Scotland is welcomed.
- North Ayrshire is the largest local authority area in Scotland without any court. It is also an area of significant deprivation where it is essential that there is easy access to justice. There is a clear link between deprivation, health and life expectancy, inequalities, unemployment and levels of crime. Accordingly, all public agencies, including Scottish Courts, need to take a coordinated approach to tackling such issues. As joblessness is a key contributor to deprivation and crime, the regeneration impact of locating future specialist courts should be a key factor in determining the location of such courts, along with access to justice. In both regards North Ayrshire scores highly. Whilst it is appreciated that there has been a rationalisation of the court estate, any further move of business should not be considered as it will have a negative impact on the accessibility to the justice system for residents of North Ayrshire. The establishment of a specialist court, on a satellite basis within North Ayrshire for consideration of housing, family law or child referral cases would enable those from more disadvantaged backgrounds to be able to more readily attend court

3.2 The Cabinet may also wish to consider instructing officers to prepare a proposal for a Specialist Court.

4. Implications

Financial Implications

4.1 The transfer of court business from the Court of Session to the Sheriff Court will reduce costs for the Council in actions which have up until now had to be raised in Edinburgh e.g. personal injury claims.

Human Resource Implications

4.2 None

Legal Implications

4.3 The majority of court actions raised by the Council in the Sheriff court will be considered in the main by a Summary Sheriff. Provided this Sheriff is of sufficient standing and experience the implications of the changes should not be adverse.

Equality Implications

4.4 None

Environmental Implications

4.5 None

Implications for Key Priorities

4.6 None

5. Consultations

5.1 None

6. Conclusion

6.1 It is recommended that the Cabinet agrees to endorse the responses in appendix as the response to the Scottish Government.



ELMA MURRAY
Chief Executive

Reference : 14/AC/JW

For further information please contact Aileen Craig, Team Manager (Litigation) on telephone number 01294 324322.

Background Papers

Making Justice Work: Courts Reform (Scotland) Bill - A Consultation Paper

Draft Courts Reform (Scotland) Bill

Explanatory notes to the draft Courts Reform (Scotland) Bill

COURTS REFORM (SCOTLAND) BILL

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

North Ayrshire Council

Title Mr ☐ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ *Please tick as appropriate*

Surname

Forename

2. Postal Address

Cunninghame House

Friars Croft

Irvine

Postcode KA10 7AN

Phone

Email

3. Permissions - I am responding as...

Individual

☐

/

Group/Organisation

☐

Please tick as appropriate

- (a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate ☐ Yes ☐ No

- (b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

- (c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick as appropriate ☐ Yes ☐ No

- (d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☐ Yes

☐ No

CONSULTATION QUESTIONS

CHAPTER 1

Moving civil business from the Court of Session to the sheriff courts

Q1. Do you agree that the provisions in the Bill raising the exclusive competence and providing powers of remit will help achieve the aim of ensuring that cases are heard at the appropriate level?

Yes ☒ No ☐

There is merit in ensuring that the Court of Session hears cases of appropriate complexity. It is recognised that the current threshold is too low, however, the complexity of cases is not necessarily determined by monetary value. It is noted that the Scottish Civil Courts Review recommended a threshold of £50000 for exclusive competence. The suggested threshold of £150000 is considerably greater than the current level of £5000 and may have a negative impact on the ability of sheriff courts to process business.

Q2. Do you think that the Court of Session should retain concurrent jurisdiction for all family cases regardless of the value of the claim?

Yes ☐ No ☒

Concurrent jurisdiction should only be retained for higher value claims in excess of £50000.

Q3. Do you think that the Court of Session should retain concurrent jurisdiction in any other areas?

Yes ☐ No ☐

No comment

Q4. What impact do you think these proposals will have on you or your organisation?

The majority of cases which the Council has had to deal with in the Court of Session relate to personal injury. With the establishment of the personal injury court along with the raising of the threshold for exclusive competence, it is anticipated that there will be fewer occasions when the Council will require to be represented in the Court of Session which will have an attendant cost saving.

The Council is concerned however that the redistributing of work to Sheriff Courts will result in increased pressure in terms of business and accommodation in the local sheriff court. Notwithstanding the proposal for additional summary sheriffs to process business, the capacity of the court building in Kilmarnock to deal with the likely increase in business may prejudice the efficient and expeditious conduct of cases. Consideration

should be given to locating satellite courts in other centres of population within the sheriffdom to permit easier and quicker access to justice.

CHAPTER 2

Creating a new judicial tier within the sheriff court

Q5. Do you think that the term "summary sheriff" adequately reflects the new tier and its jurisdiction?

Yes ☒ No ☐

The terms reflects that the Summary Sheriff will deal with "summary" cases.

Q6. Do you agree with the proposal that the qualifications for appointment as a summary sheriff should be the same as that for a sheriff?

Yes ☒ No ☐

It is important that notwithstanding changes in procedure, the public have confidence in the ability of those who dispense justice and therefore it is considered appropriate that there should not be any diminution in the minimum qualifications for Sheriffs of either category.

Q7. Do you agree with the proposed competence of summary sheriffs in family cases?

Yes ☐ No ☐

No comment

Q8. Do you agree that summary sheriffs should deal with referrals from children's hearings?

Yes ☐ No ☐

Summary Sheriffs may deal with referrals from the children's hearing provided that they have considerable expertise or training in that area of law.

Q9. Do you think that in addition to summary crime, summary sheriffs should have powers in other areas of criminal jurisdiction?

Yes ☐ No ☐

No comment

Q10. Do you agree that the allocation of cases where there is concurrent competence between sheriffs and summary sheriffs should be an administrative matter for the relevant Sheriff Principal?

Yes ☐ No ☒

There should not be a system whereby there is local variation in sheriffdoms throughout Scotland on how justice is dispensed.

Q11. What impact do you think these proposals will have on you or your organisation?

As previously mentioned, the Council is concerned that the redistributing of work to Sheriff Courts will result in increased pressure in terms of business and accommodation in the local sheriff court and that delays in the hearing of cases may result.

CHAPTER 3

Creating a new sheriff appeal court

Q12. Do you agree that criminal appeals should be held in a centralised national appeal court?

Yes ☐ No ☐

No comment

Q13. Do you think that civil appeals should be heard in the sheriff appeal court sitting in the sheriffdom in which they originated?

Yes ☒ No ☐

It is vital that the appeal court is situated in the sheriffdom where cases originate to ensure reasonable accessibility to justice. Under the current system, the Sheriff Principal can sit in the local sheriff court. Consideration should be given to the appeal court sitting locally rather than requiring people to travel greater distances, even within the sheriffdom, for resolution of cases.

Q14. Do you agree that the sheriff appeal court should be composed of appeal sheriffs who are Sheriffs Principal and sheriffs of at least five years experience?

Yes ☐ No ☐

It is appropriate for the appeal sheriffs to be Sheriffs Principal. In relation to Sheriffs, as well as experience, further qualification should be required to fulfil an appellate function.

Q15. What impact do you think these proposals will have on you or your organisation?

Unless the sheriff appeal court hears cases in the local court, greater time commitment, inconvenience and inefficiency will result in Council solicitors having to travel to another court within the Sheriffdom. Council solicitors already have to travel outwith the Council boundary to the local Sheriff Court which has resourcing implications for the Council. To travel further e.g.

to Paisley for appeal cases would result in greater inefficiency for the Council.

CHAPTER 4

Creating a specialist personal injury court

Q16. Do you agree that establishment of a specialist personal injury court?

Yes x ☒ No ☐

The creating of a specialist injury court is welcomed.

Q17. Do you agree that civil jury trials should be available in the specialist personal injury court?

Yes x ☐ No ☐

Q18. What impact do you think these proposals will have on you or your organisation?

It is anticipated that there will be cost savings in the conduct of personal injury cases which is welcome

It is noted that no specific comments are sought on the creation of other specialist courts on “specified” matters. The establishment of such courts with specialist sheriffs would be welcome provided that they are located locally. Specialist courts e.g. for housing, family and general civil cases should be available in all courts in the Sheriffdom to ensure accessibility for stakeholders. Further consideration should be given to locating satellite courts outwith the existing court estate in centres and areas of population with a need to access such courts. It is recognised that at the heritable court based in Kilmarnock, fewer people attend from North Ayrshire – possibly due to the distance of the court from individual’s homes. Consideration should therefore be given to addressing this deficiency in process by locating courts locally rather than undertaking a rationalisation programme which in turns restricts access to justice, particularly for those sectors of the population who experience significant deprivation.

Please also see response to question 38.

CHAPTER 5

Improving judicial review procedure in the Court of Session

Q19. Do you agree with the three month time limit for judicial review claims to be brought?

Yes ☒ No ☐

This will be advantageous for the Council knowing the period for challenge

Q20. Do you agree that the introduction of the leave to proceed with an application for judicial review will filter out unmeritorious cases?

Yes ☒ No ☐

This also will be advantageous and result in saving costs incurred in defending unmeritorious or spurious court actions

Q21. Do you agree that these proposals to amend the judicial review procedure will maintain access to justice?

Yes ☒ No ☐

Q22. What impact do you think these proposals will have on you or your organisation?

The Council will have closure on when to expect challenges to decisions made thereby resulting in more certainty of approach at local level.

CHAPTER 6

Facilitating the modernisation of procedures in the Court of Session and sheriff courts

Replace the existing rule making powers with more general and generic powers

Q23. Do you agree that the new rule making provisions in sections 85 and 86 of the draft Bill will help improve the civil procedure in the Court of Session and sheriff courts?

Yes ☐ No ☐

The draft provisions may provide greater flexibility.

Q24. Are there any deficiencies in the rule making provisions that would restrict the ability of the Court of Session to improve civil procedure in the Court of Session and sheriff courts?

Yes ☒ No ☐

It is noted that there is provision for consultation with the Scottish Civil Justice Council but there is no requirement to take reasonable cognisance of representations made.

Q25. What impact do you think these proposals will have on you or your organisation?

In practical terms it is not expected that the changes will greatly impact although it may result in necessary changes or adaptations being made more quickly.

The creation of new powers in the Inner House of the Court of Session to sift and dispose of appeals with no reasonable prospects of success.

Q26. Do you agree that a single judge of the Inner House should be able to consider the grounds of an appeal or motion?

Yes ☒ No ☐

It is noted that there are no draft provisions included. In principal, subject to there being satisfactory safeguards for review by the Inner House in appropriate circumstances this proposal would be acceptable in general terms.

Q27. What impact do you think these proposals will have on you or your organisation?

The Council seldom has involvement with an appeal to the Inner House and it is therefore not considered that the proposals will have great impact on

Council business.

The abolition of the distinction between ordinary and petition procedure in the Court of Session.

Q28. Do you agree that the distinction between ordinary and petition procedure should be abolished?

Yes ☐ No ☐

No comment

Q29. Do you foresee any unintended consequences for this change?

Yes ☐ No ☐

No comment

Q30. What impact do you think these proposals will have on you or your organisation?

The Council has few actions in the Court of Session and will therefore not be greatly impacted by the proposals.

New procedures for dealing with vexatious litigants.

Q31. Do you agree that the new procedure will ensure that courts are able to deal appropriately with vexatious litigants?

Yes ☐ No ☐

It is noted that no draft provisions have been offered for consideration

Q32. What impact do you think these proposals will have on you or your organisation?

Whilst the Council has not had difficulties in this area, proposals to deal with such circumstances are welcomed.

Scotland-wide enforcement of interdict and interim orders

Q33. Do you agree that an order for interdict should be capable of being enforced at any sheriff court in Scotland?

Yes ☒ No ☐

It is reasonable that an order obtained in any sheriff court in Scotland should be enforceable in another sheriffdom.

Q34. Should interim orders and warrants have similar all-Scotland effect and be capable of enforcement at any sheriff court?

Yes ☒ No ☐

As response to Q33

Q35. What impact do you think that these proposals will have on you or your organisation?

While welcome it is not anticipated that the proposals will have a great impact on the Council which would generally expect to implement warrants and interim orders within the Council area which is covered by the Sheriffdom of North Strathclyde.

CHAPTER 7: THE PROPOSALS: Alternative Dispute Resolution

Q36. Do you think that ADR should be promoted by means of court rules?

Yes ☒ No ☐

If ADR, particularly in respect of pre action protocols, is not promoted by court rules there will be reluctance by parties to adopt means of settling cases by other means rather than raising court actions. However once the action is raised, ADR should not be compulsory.

Q37. What impact do you think these proposals will have on you or your organisation?

None anticipated although the settling of cases by other means may result in quicker availability of court time to deal with business which is either not capable or appropriate for ADR.

ASSESSING IMPACT

Equality

Q38. Please tell us about any potential impacts, either positive or negative, you feel any or all of the proposals in this consultation may have on a particular group or groups of people.

North Ayrshire is the largest local authority area in Scotland without any court. It is also an area of significant deprivation where it is essential that there is easy access to justice. There is a clear link between deprivation, health and life expectancy, inequalities, unemployment and levels of crime. Accordingly, all public agencies, including Scottish Courts, need to take a coordinated approach to tackling such issues. As joblessness is a key contributor to deprivation and crime, the regeneration impact of locating future specialist courts should be a key factor in determining the location of such courts, along with access to justice. In both regards North Ayrshire scores highly. Whilst it is appreciated that there has been a rationalisation of the court estate, any further move of business should not be considered as it will have a negative impact on the accessibility to the justice system for residents of North Ayrshire. The establishment of a specialist court, on a satellite basis within North Ayrshire for consideration of housing, family law or child referral cases would enable those from more disadvantaged backgrounds to be able to more readily attend court

Business and Regulatory

Q39. Please tell us about any potential economic or regulatory impacts, either positive or negative, you feel any or all of the proposals in this consultation may have.

See question 38.

Legislation

Q40. Please give any comments on the legislation as set out in the Draft Bill. Are there any omissions or areas you think have not been covered.

No comment

NORTH AYRSHIRE COUNCIL

Agenda Item 7.2

14 May 2013

Cabinet

Subject: **Scottish Government Consultation - Creating a New Food Body in Scotland**

Purpose: To seek approval of the Cabinet to submit the response attached at Appendix 1 to the Scottish Government Consultation - Creating a New Food Body in Scotland.

Recommendation: That the Cabinet agrees to forward the response attached at Appendix 1 to the questions raised in the consultation document to the Scottish Government.

1. Introduction

- 1.1 Following the UK Government's decision in 2010 to move responsibility for nutrition and food labelling and standards in England from the Food Standards Agency (FSA) to the Department of Health and the Department of Environment, Food and Rural Affairs (Defra), Scottish Ministers asked Professor Jim Scudamore to lead an independent review to assess the feasibility of establishing a stand-alone Scottish Food Standards Agency, including a Scottish meat inspection delivery body, maintaining the Food Standards Agency's (FSA's) existing statutory objective to protect consumers. The Review Panel, and many stakeholders, felt that FSA UK had functioned well prior to the UK Government's Machinery of Government changes in 2010.
- 1.2 The Scudamore Review adopted two principles. Firstly, as Scotland has unique and complex problems in relation to diet, obesity and certain food borne diseases, the Panel considered that food safety should not be divorced from nutrition and labelling and standards. Secondly, there was general agreement that advice on food safety, nutrition and labelling should be independent and transparent and should be provided by an organisation which should remain at arm's length from central Government.

2. Current Position

- 2.1 The Scottish Government intends to bring forward legislation to create a stand-alone body in Scotland for food safety and standards, feed safety and standards, nutrition, food labelling and meat inspection policy and operational delivery. These devolved functions are currently carried out in Scotland by the UK-wide Food Standards Agency (FSA), which is accountable to all four Parliaments/Assemblies in the UK.
- 2.2 Scottish Ministers want to establish an efficient and effective food body which will be responsible to Scottish circumstances, particularly in ensuring that the Scottish Administration has the capacity needed to develop and implement policies to improve public health through diet and nutrition.
- 2.3 The new food body will carry out all the functions currently delivered by the FSA in Scotland. This consultation seeks views on whether the new food body could usefully expand its role and responsibilities beyond those functions. It also seek views on how the new food body's independence from Government and the food industry could be assured.

3. Proposals

- 3.1 That Cabinet agrees the response to the consultation document attached at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no financial implications.

Human Resource Implications

- 4.2 There are no human resource implications.

Legal Implications

- 4.3 There are no legal implications.

Equality Implications

- 4.4 There are no equality implications.

Environmental Implications

- 4.5 Sourcing of local produce will help reduce the carbon footprint of the businesses concerned.

Implications for the Single Outcome Agreement and other Key Priorities

- 4.6 Adopting many of the proposed outcomes to the consultation is in line with the following vision from the Single Outcome Agreement:
- A Healthy and Active North Ayrshire - Outcome health and well-being throughout life have improved.

5. Consultations

- 5.1 No consultation has been undertaken.

6. Conclusion

- 6.1 The Government's intention to set up a new food body means Scottish Ministers are currently open to innovative ideas that will increase the efficiency and effectiveness of the new body.



CRAIG HATTON
Corporate Director (Development and Environment)

Reference : km

For further information please contact Kevin McMunn, Senior Environmental Health and Trading Standards Manager on telephone number 01294 324354

Background Papers

A Healthier Scotland : Consultation on Creating a New Food Body



A Healthier Scotland: Consultation on Creating a New Food Body

RESPONDENT INFORMATION FORM

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

North Ayrshire Council

Title Mr ☒ Ms ☐ Mrs ☐ Miss ☐ Dr ☐ **Please tick as appropriate**

Surname

McMunn

Forename

Kevin

2. Postal Address

Development Planning Services

Environmental Health

Cunninghame House

Irvine

Postcode KA12 8EE

Phone 01294 324354

Email kmcunn@north-ayrshire.gov.uk

3. Permissions - I am responding as...

Individual

/

Group/Organisation

☐

Please tick as appropriate

☒

- (a)** Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government web site)?

Please tick as appropriate

☐ **Yes** ☐ **No**

- (b)** Where confidentiality is not requested, we will make your responses available to the public on the following basis

- (c)** The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government web site).

Are you content for your **response** to be made available?

Please tick ONE of the following boxes

Please tick as appropriate

☒ **Yes** ☐ **No**

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

- (d)** We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate

☒ **Yes**

☐ **No**

CONSULTATION QUESTIONS

1: Should the scope of the new food body extend beyond the current scope of the FSA in Scotland? If yes, what specific extensions of scope would you suggest, and why?

North Ayrshire Council would support extending the scope of the new food body beyond the current scope of FSA if in doing so the New Food Body would provide improved strategic leadership and better co-ordination of multi-agency service delivery. In respect of the areas mentioned in paragraph 20 of the consultation North Ayrshire Council would comment as follows: -

Alcohol – North Ayrshire Council supports a multi-agency approach to dealing with health and societal problems associated with alcohol consumption. The new Food Body would have an important part to play in national strategies to tackle these problems, but North Ayrshire Council believes the lead should come from health professionals/NHS in this area.

Obesity - North Ayrshire Council would support the new food body being actively involved in this area. The new Food Body, working with other partners, would be well placed to deliver improvements in obesity levels in Scotland. The new food body would be in a position to influence the food industry on food composition and portion size, influence local authorities on the outcomes of food standards inspection and sampling programmes, build service delivery partnerships with NHS colleagues and where appropriate highlight to the Scottish Government the need for legislation.

Environment – North Ayrshire Council recognises the impact the environment can have on food quality and safety and how adverse environmental conditions can affect human health. North Ayrshire Council believes the new Food Body would work in partnership with other organisations, in particular local authorities and SEPA, on environmental factors that relate to food safety and quality. A good example would be to encourage food businesses to reduce their carbon footprint through local sourcing of food. A practice adopted by North Ayrshire Council's Catering Services.

Food poverty – North Ayrshire Council believes this is another legitimate area for the new Food Body to be involved in. Again, the new Food Body would be working with partners to track and measure food poverty and would be ideally positioned to initiate projects or programmes to tackle food poverty.

Food advertising – regulation in respect of health claims and advertising currently sits with local authorities and North Ayrshire Council would recommend that this position is maintained to avoid any issues around dual enforcement in respect of food labelling and presentation. North Ayrshire Council would support the new Food Body being actively involved in promotional activities to improve consumer awareness and to assist

consumers in making healthier food choices.

Provenance – North Ayrshire Council recognises that provenance is an important food labelling issue and has significant benefits for the Scottish food industry. North Ayrshire Council would support the new Food Body being involved in this area and feels it sits well with the food standards remit and helps to support the Scottish economy by promoting Scottish produce. A North Ayrshire example of this being “Taste of Arran” branded produce.

Sustainability – North Ayrshire Council recognises that this is an overarching consideration for every policy area and the new Food Body should consider sustainability issues.

Food security – North Ayrshire Council would support the new Food Body being involved in this area. The new Food Body should establish links with emergency and contingency planning organisations. The new Food Body will want to be satisfied that for food there is a security of supply and the supply chain is protected from terrorism.

2: Should the new food body and the Scottish Government continue the arrangements for independent and partnership work on diet and nutrition set out in Annex A? If not, what changes would you suggest, and why?

North Ayrshire Council agrees that the arrangements in annex A should continue. North Ayrshire Council would support the new Food Body working with NHS & LA's to link into community planning partnerships and Community Health Improvement Plans (CHIP's). North Ayrshire Council also agrees that in establishing the new food body clarity should be given on lead for diet and nutrition. North Ayrshire Council suggests the improved clarity of roles and responsibilities will ensure better co-ordination and benefit everyone.

North Ayrshire Council would also support the proposed interface with the education system and feels this is the correct age group to work with to bring about societal change.

North Ayrshire Council would also support the new Food Body taking the lead in the areas outlined in paragraphs 34 and 35.

3: Are there any additional roles, responsibilities or functions in respect of diet and nutrition that you think the new food body could take on to help deliver an improvement to the health of the people in Scotland? Please give details and reasons.

North Ayrshire Council feels the areas suggested in the consultation document are the appropriate functions for the new Food Body.

4: What steps do you think could be taken to ensure the new food body is able to access the best available independent expert advice it needs to underpin its work on food safety and public health nutrition in Scotland? Please give reasons.

North Ayrshire Council recommends that the new Food Body links into existing scientific committees etc. in the UK. This will avoid duplication of effort and recognises the integrated nature of the food supply chain in the UK. North Ayrshire Council suggests the new Food Body also establish links with international organisations, due to the global nature of the food industry; it is important that the new food body is aware of developments at an international level.

5: Do you consider that the new food body should focus its research and surveillance activities on issues that are particularly pertinent to Scottish citizens or should it also contribute to science and evidence programmes on wider issues which have relevance to the UK as a whole? Please give reasons.

North Ayrshire Council recommends that the new Food Body should deal with both areas as food businesses link into the UK food supply chains and this is a significant part of the Scottish economy. North Ayrshire Council would suggest a two tier approach with issues pertinent to Scotland being the primary focus complemented by issues which have relevance to the UK as a whole. North Ayrshire Council suggests that the new Food Body should access national scientific advisory committees etc then the new Food Body should contribute to UK wide research.

6: Do you agree that the new food body should be responsible for the coordination of all Scottish Government funded research on food safety and public health nutrition? What steps could be taken to raise the profile of the new food body as a research funder across the UK and beyond? Please give reasons.

North Ayrshire Council supports the new Food Body being responsible for food safety research, but would suggest the new Food Body works in partnership with the NHS on public health nutrition research.

In respect of the profile as a research funder, North Ayrshire Council would recommend using existing links to academic institutions and international network for overseas research.

7: Do you have any further suggestions for how the new food body could establish a strong independent evidence base for food safety, food standards and nutrition policy? Please give reasons.

North Ayrshire Council would recommend that the new Food Body works

with the Council and other local authorities through the Food Liaison Group network to design statistically valid surveys and sampling programmes to provide evidence to inform policy making. North Ayrshire Council would suggest that to get the maximum benefit from food surveillance sampling, all samples should be submitted to the UK FSS database. The new Food Body will need to make arrangements to have access to this system.

North Ayrshire Council would suggest the new Food Body will need to consider what arrangements it will make to record and monitor service delivery in respect of food safety, food standards and nutrition. Currently North Ayrshire Council submits its performance data into the UK wide LAEMS database. North Ayrshire Council is one of the local authorities that has called for a national data management system over the years and the creation of the new Food Body provides an opportunity to consider if this is a viable option.

8: Do you consider that the new food body would require any further statutory powers, in addition to those that the FSA already has, to equip it to deal effectively with incidents such as the recent horse meat substitutions, and to prevent such incidents happening? Please give reasons.

North Ayrshire Council would support additional enabling powers being available to the new Food Body. North Ayrshire Council would recommend that the new Food Body considers the Audit Scotland report 'Protecting Consumers' and in particular the need for work force planning. North Ayrshire Council believes that consumers and reputable food businesses can be protected from incidents such as the recent food frauds through adequate resources being available to deliver effective official controls.

9: Do you have any further comments about how the new food body might ensure that it can deal effectively with contraventions of food standards and safety law? Please give reasons.

North Ayrshire Council believes there is a lack of options available to deal with food standards contraventions. North Ayrshire Council would suggest the new Food Body consider introducing a range of notices that would fill the gap between informal action and reporting contraventions to the Procurator Fiscal. North Ayrshire Council would also support research into the potential to introduce fixed penalty notices for food safety and food standards contraventions.

10: Should the new food body take on any roles and responsibilities not currently fulfilled by the FSA in Scotland? If yes, please give details and reasons.

North Ayrshire Council believes the establishment of the new Food Body provides an opportunity to take stock of the roles and responsibilities of all organisations involved in food and feed official controls. North Ayrshire

Council would suggest that any changes are based on the following principles:-

1. Rationalisation of controls to ensure that, to the greatest extent possible, every individual establishment has one food authority for regulating both food hygiene and food standards; with the resulting inspection regimes based on risk.
2. Centralisation of specialised Official Controls and specialised/complex activities which are very low in number and thinly dispersed geographically.
3. Centralisation of land and sea-based controls that may be difficult to allocate and deliver in terms of local authority boundaries.
4. Centralisation of particular controls highlighted by the European Commission's Food and Veterinary Office and of controls relating to international trade.
5. Provision of central support to local authorities where centralised provision is likely to be more efficient and fairer to individual local authorities.

In making any changes to existing roles and responsibilities North Ayrshire Council recommends that any change should be designed to improve public health and address any gaps in the existing arrangements.

North Ayrshire Council considers it vital that the current holistic nature of Environmental Health Services should not be jeopardised through any consequent reorganisation of Food Controls delivery. In particular, changes that would result in the significant transfer of staff from local authority services to a centralised delivery body are likely to have a detrimental effect on the viability of environmental health services. North Ayrshire Council supports official control delivery remaining with local authorities as the food safety service is an integral aspect of the environmental health function and staff involved in the food safety service are responsible for delivering a range of other environmental health functions at food businesses e.g. health & safety, waste management, smoking prohibition, infectious disease investigation, etc.

11: Please tell us your views about these suggestions for changes to the delivery of official food and feed controls. Do you think that the new food body should work in a different way with local authorities? Please give reasons.

North Ayrshire Council believes the existing partnership between local authorities and FSA works well and this successful partnership approach in Scotland is the building block for the new body. In respect of the bullet points in paragraph 48 North Ayrshire Council comments as follows:-

Approval of food and feed establishments – North Ayrshire Council agrees with the consultation proposal as it will ensure consistency within the approval process. The proposal will also remove the existing anomaly where local authorities deal with unapproved establishments, even though

they would not be responsible for enforcement once the establishment was approved. North Ayrshire Council supports delivery of official controls remaining with local authorities for establishment where they currently deliver these controls. Some local authorities have also expressed concern relating to the qualifications of the staff undertaking the approval of businesses that produce ready to eat food. North Ayrshire Council believes these concerns can be addressed if this proposal is implemented.

Food standards and FSA ops – North Ayrshire Council agrees that food standards should be delivered by the new Food Body where they also deliver food hygiene official controls. North Ayrshire Council supports this proposal as it removes an area of dual enforcement.

Coordination of export certification – North Ayrshire Council agrees with this proposal in respect of the co-ordination of certification requirements. However, North Ayrshire Council recommends that the actual service delivery remains with local authorities.

Import controls at ports of entry – North Ayrshire Council recognises the benefits this could give in respect of consistency and may provide greater efficiency. However, given the small number of establishments this affects it is important to consider the impact any change would have on the local authorities involved. North Ayrshire Council would suggest this could be an area where the flexibility to transfer enforcement responsibility could be utilised.

Delivery of official controls relating to animal feed hygiene and standards – North Ayrshire Council would suggest that Society of Chief Officers of Trading Standards in Scotland (SCOTSS) are best placed to comment on the wider impact this proposal would have on the Trading Standards service at local authorities. North Ayrshire Council is aware of the Audit Advisory Committee's concerns in this area and the Audit Scotland report 'Protecting Consumer' which highlighted concerns relating to the resources available to deliver Trading Standards services. North Ayrshire Council does recognise that the proposal could create a single enforcement organisation for the farming sector in respect of food and feed. North Ayrshire Council would recommend that any changes in this area are considered carefully and do not adversely affect the delivery of the wider trading standards function by local authorities.

Delivery of all official controls and related monitoring activity during Primary Production – North Ayrshire Council recognises that this proposal will create a single enforcement authority for the primary food production sector and is consistent with the Scottish Government's SEARS project. North Ayrshire Council believes the proposal could bring economies of scale and address gaps in the current arrangements. North Ayrshire Council would recommend that any changes in this area are considered carefully and do not adversely affect the delivery of the wider environmental health and trading standards functions by local authorities.

Delivery of official controls relating to the supply and manufacture of materials

and articles in contact with food, food additives and processing aids – North Ayrshire Council agrees with this proposal as it will provide consistency and address any gaps in the current arrangements.

Recognition of natural mineral water sources – North Ayrshire Council agrees with this proposal as it will provide consistency.

Para 49: technical and professional training – North Ayrshire Council agrees with this proposal and believes it would be useful. North Ayrshire Council recognises the potential to establish a similar role in relation to training for the new Food body to that of HSE in providing specialist support to local authorities on occupational health and safety enforcement.

12: Do you have any views on how the new food body should assure delivery of official controls and meet the relevant EU obligations? Please give reasons.

North Ayrshire Council recommends the new Food Body prepares a Scottish Framework agreement similar to the framework agreement that currently exists. North Ayrshire Council would also recommend that the existing Food Law Code of Practice and Practice Guidance are replicated to detail the delivery of official controls.

North Ayrshire Council recognises the benefits of the current audit arrangements and would recommend the existing arrangements are not only retained but formalised.

North Ayrshire Council is aware that the new Food Body will have the responsibility as the central competent body to ensure the provision of adequate resources to deliver official controls. Given the current concerns relating to work force planning the new Food Body may find benefit in establishing service level agreements with local authorities to have the assurance that official controls will be delivered adequately and consistently across Scotland.

13: Are there any additional or alternative relationships that you would suggest that would help the new food body achieve the Scottish Ministers' objective of longer, healthier lives for the people of Scotland? Please give details and reasons.

North Ayrshire Council believes the existing partnership approach adopted by FSA has worked well and recommends the new Food Body builds on these existing arrangements.

14: Do you have any suggestions about how the new food body can engage effectively with consumers, both in developing policy and providing information and advice?

North Ayrshire Council welcomes the consumer focus proposed for the new Food Body and would recommend engagement is via the existing networks.

15: Do you agree with the suggested approach to ensuring the new food body's independence from Government and the food industry? Do you have any further suggestions for how the new food body could best establish and maintain its position as an arms length part of Government? Please give reasons.

North Ayrshire Council agrees with the approach to ensuring the new food body's independence from Government and the food industry. North Ayrshire Council believes this is important for the delivery of Scottish Government's aim to protect public health and maintain consumer confidence. North Ayrshire Council would recommend the existing liaison arrangements are continued as these can deliver a means of communicating effectively with Government and the food industry without compromising the independence of the new Food Body.

16: Do you have any further comments, or suggestions, on the creation of a new food body for Scotland that are not covered by any of the previous questions?

North Ayrshire Council would suggest the new food body should consider the introduction of a Licensing Scheme for food premises. This would help a local authority identify all food premises in its area as the present food premises registration system does not work. Currently many food businesses set up in unsuitable premises. Licensing would prevent this.

Experience North Ayrshire Council has working with food premises with liquor licensings shows a greater level of co-operation by the businesses to adhere to the food safety message and in doing so raises the level of protection for consumers.

NORTH AYRSHIRE COUNCIL

Agenda Item 7.3

14 May 2013

Cabinet

Subject: **Food Standards Agency Consultation on New Proposed Enabling Primary Food and Feed Legislation Provisions**

Purpose: To seek approval of Cabinet to submit the response attached at Appendix 1 to the Food Standards Agency Consultation on New Proposed Enabling Primary Food and Feed Legislation Provisions.

Recommendation: That the Cabinet agrees to forward the response attached at Appendix 1 to the questions raised in the consultation document to the Food Standards Agency.

1. Introduction

- 1.1 This consultation is being issued in parallel with the Scottish Government's consultation on the wider scope and function of the New Food Body. This consultation also asks for information as to any additional powers which might be required.

2. Current Position

- 2.1 At the request of Scottish Ministers, Professor Jim Scudamore led an independent review to assess the feasibility of establishing a stand-alone Scottish Food Standards Agency including a Scottish meat inspection delivery body.
- 2.2 The review recommended that the current FSA in Scotland (FSAS) be transformed into a separate independent body at arm's length from Scottish Government. Following Cabinet discussions on the 19th June 2012, Scottish Ministers decided to accept all of the Scudamore report recommendations.
- 2.3 It is envisaged that to meet the new challenge the new body will develop a robust, effective and proportionate regulatory enforcement strategy to drive up levels of compliance thereby improving consumer protection, whilst also protecting the reputation and viability of compliant businesses.

3. Proposals

3.1 The key proposals within the consultation document are to introduce new primary legislative powers to :-

- Provide a statutory basis for a scheme to enable Scottish Ministers to make, if agreed in the future, any food business operator display the outcome of an official food inspection.
- Enable Scottish Ministers to create, if required, new enforcement sanctions such as administrative penalties or forms of restorative justice in relation to food/feed law.
- Enable the detention of any food, where there are reasonable ground to suspect that it does not meet the requirements of food law in relation to food standards or labelling, similar to those which already exist for foods not complying with food safety legislation.

3.2 The Cabinet is invited to agree the response attached at Appendix 1 to the consultation document.

4. Implications

Financial Implications

4.1 A small income may develop from issuing administrative penalties.

Human Resource Implications

4.2 There are no human resource implications.

Legal Implications

4.3 Involves the creation of more enforcement regulations.

Equality Implications

4.4 There are no equality implications.

Environmental Implications

4.5 There are no environmental implications.

Implications for the Single Outcome Agreement and other Key Priorities

4.6 By introducing additional regulatory powers over food businesses the proposal is in line with the following vision from the Single Outcome Agreement.

- A Healthy and Active North Ayrshire - Outcome health and well-being throughout life have improved.

5. Consultations

5.1 No consultation has been undertaken.

6. Conclusion

6.1 It is appropriate to take this opportunity to look at the adequacy of the existing domestic food and feed legislation and in particular to identify any potential gaps which might currently exist which may require changes to primary legislation, and which could be accommodated within the NFBB.



CRAIG HATTON
Corporate Director (Development and Environment)

Reference : km

For further information please contact Kevin McMunn, Senior Environmental Health and Trading Standards Manager on telephone number 01294 324354

Background Papers

None.

FOOD STANDARDS AGENCY CONSULTATION

Title: Consultation on New Proposed Enabling Primary Food & Feed Legislation Provisions

CONSULTATION SUMMARY PAGE

Date consultation launched:	Closing date for responses:
Thursday, 28 th February 2013	Wednesday, 22 nd May 2013

Who will this consultation be of most interest to?

Consumers, local authorities and their representatives and professional bodies, and food businesses and their representative bodies.

What is the subject of this consultation?

Proposed enabling provisions for new measures and functions that will give Scottish Ministers, local authorities and the proposed New Food Body powers and tools to support the development of a robust regulatory enforcement strategy.

What is the purpose of this consultation?

To provide the opportunity to comment on proposed new enabling primary legislation provisions which might be included in the Scottish Government's New Food Body Bill ("NFFB"). This consultation, which focuses on potential new powers which have already been identified, is being issued in parallel with the wider NFFB consultation on the scope and functions of the new food body that is being issued by Scottish Government. The NFFB consultation asks a more general question about any additional new statutory powers which the new food body might need in the future.

Responses to this consultation should be sent to:

Name Fiona Bruce
Division/Branch Standards & Hygiene
 Associated Regulatory Policy
 FOOD STANDARDS AGENCY in SCOTLAND
Tel: 01224 285170
Fax: 01221 285128

Postal address:
 6th Floor, St Magnus House,
 25 Guild Street
 Aberdeen AB11 6NJ
Email: Fiona.bruce@foodstandards.gsi.gov.uk

Is a Business & Regulatory Impact Assessment (BRIA) included with this consultation?

Yes ☐

No ☒ See Annex A for reason.



INVESTOR IN PEOPLE

If you would prefer to receive future FSA consultations by e-mail, or if you no longer wish to receive information on this subject please notify the named person in this consultation.



Consultation on New Proposed Enabling Primary Food & Feed Legislation Provision

DETAIL OF CONSULTATION

1. It is our intention to take the opportunity to ensure that Scottish Ministers, local authorities and the proposed new food body in Scotland ("NFB") have adequate powers to support development of a robust, effective and proportionate regulatory enforcement strategy designed to drive up levels of compliance with food and feed law thereby improving consumer protection, while at the same time providing targeted flexible, effective, proportionate measures to reduce unnecessary burdens on business and adhere to the principles of better regulation.
2. This consultation gives stakeholders the opportunity to comment on 3 new proposals which have already been identified for possible inclusion in the NFBB.
3. This consultation is being issued in parallel with the Scottish Government's consultation on the wider scope and function of the NFB. This consultation also asks for information as to any additional powers which might be required.

Introduction

Background

4. At the request of Scottish Ministers, Professor Jim Scudamore led an independent review to assess the feasibility of establishing a stand-alone Scottish Food Standards Agency including a Scottish meat inspection delivery body.
5. The review recommended that the current FSA in Scotland (FSAS) be transformed into a separate independent body at arm's length from Scottish Government. Following Cabinet discussions on the 19th June 2012, Scottish Ministers decided to accept all of the Scudamore report recommendations.
6. It is envisaged that to meet this new challenge the new body will develop a robust, effective and proportionate regulatory enforcement strategy to drive up levels of compliance thereby improving consumer protection, whilst also protecting the reputation and viability of compliant businesses.

Proposals

7. It is appropriate to take this opportunity to look at the adequacy of the existing domestic food and feed legislation and in particular to identify any potential gaps which might currently exist which may require changes to primary legislation, and which could be accommodated within the NFBB. The main drivers for this are:-
 - To ensure that Scottish Ministers, local authorities and the NFB have adequate powers and tools to enable the development of a robust regulatory enforcement strategy.
 - The need to align the domestic legislation with the wider better regulation policy objectives contained in the Scottish Government Better Regulation Bill.

- The need to meet EU obligations contained in the Official Food and Feed Control Regulation¹, in particular, the need for effective, proportionate and dissuasive sanctions and the proposed new obligation to ensure that financial penalties applicable to intentional infringements of community law offset the potential economic advantage being sought through the infringement.
- To address representations that the existing FSA in Scotland have already received from stakeholders about perceived gaps in current enforcement provisions.

Key proposal(s):

- a) New primary legislative powers to provide a statutory basis for a scheme to enable Scottish Ministers to make, if agreed in the future, any food business operator display the outcome of an official food inspection.**
- b) New primary legislative powers to enable Scottish Ministers to create, if required, new enforcement sanctions such as administrative penalties or forms of restorative justice in relation to food/feed law.**
- c) New primary legislative powers to enable the detention of any food, where there are reasonable ground to suspect that it does not meet the requirements of food law in relation to food standards or labelling, similar to those which already exist for foods not complying with food safety legislation.**

- a) New primary legislative powers to provide a statutory basis for a scheme to enable Scottish Ministers to make, if agreed in the future, any food business operator display the outcome of an official food inspection.**

Background

8. Food Hygiene Information Schemes are key public health measures and an important commercial driver for businesses to achieve and maintain compliance with existing food hygiene law. They work by providing transparency to consumers about the hygiene standards in food outlets at the time of inspection by authorised enforcement officers. This allows consumers to make informed choices about where they choose to eat or shop for food. This is a powerful tool to influence consumer choice to recognise businesses that meet the existing legal requirements, and provides an additional incentive for those that do not to improve. Any improvements that businesses need to make to get a 'Pass' rating are already required by food law so the scheme does not impose additional financial burdens on businesses.

9. Currently there is a voluntary scheme in place, in Scotland, the Food Hygiene Information Scheme (FHIS), which applies to food outlets that supply food directly to consumers in Scottish Local Authority areas which have agreed to participate in the scheme. Currently 23 out of 32 Local Authorities participate in the FHIS (the remaining 9 authorities have signed up to participate in the future) with results for over 30,000 food outlets currently available throughout Scotland. Each food outlet is

¹ Article 55 of The Official Feed and Food Controls (Scotland) Regulations 2007 (SSI 2007 No. 522)

asked to prominently display a certificate indicating whether it has passed its hygiene inspection or whether improvement is required.

10. Results are designated 'Pass' for businesses that satisfactorily comply with applicable food hygiene legislation or 'Improvement Required' for businesses which fall short of the standard. Businesses that have not been inspected are designated as 'Awaiting Inspection'. Certificates are not issued to a small proportion of establishments that are designated as 'Exempt' because, due to the nature of their operations, they have been assessed as a negligible food safety risk and unlikely to be considered by customers as food premises.

11. All FHIS results, whether displayed by the business or not, are also uploaded by local authorities for publication on the FSA's website. This provides Scottish consumers with useful information on how well food outlets have fared in their last food hygiene inspection enabling them to make informed choices about where they choose to eat or buy their food. Placing this information in the public domain should also help drive up hygiene standards and ensure that a very high proportion of businesses comply with the law.

12. FHIS was developed by the Food Standards Agency in Scotland, consumer organisations, industry and local authorities in response to consumer concern. There is a similar scheme in other parts of the UK – the Food Hygiene Rating Scheme.

13. The current position is that the FHIS in Scotland is voluntary both for Local Authorities to participate in the scheme, and for businesses to display their certificate.

14. There has been a growing support for the need for a mechanism to provide a legal basis to ensure greater transparency and full involvement of all businesses and local authorities in these types of schemes.

15. At this stage, this consultation deals with a proposal to provide suitable enabling powers and to provide a statutory basis for the scheme; the introduction of any new legislative policy would be the subject of further detailed consultation.

Questions asked in this consultation:

Q1: Do you agree that it would be useful to provide enabling powers, so that, following a further consultation, Scottish Ministers might provide regulations requiring the outcomes of official food inspections to be displayed by food business operators and requiring local authorities to participate in such schemes?

North Ayrshire Council agrees and fully supports the mandatory introduction of the Food Hygiene Information Scheme. North Ayrshire Council is currently a member of the Scheme.

Q2: Are you aware of any similar schemes in existence in other countries where improvements in compliance with hygiene rules have been verified after their introduction? If so please provide details of the scheme.

North Ayrshire Council is not aware of a verified scheme.

b) New primary legislative powers to enable Scottish Ministers to create, if required, new enforcement sanctions such as administrative penalties or forms of restorative justice in relation to food and feed law?

Background

16. The sanctions currently available in existing food and feed legislation relate exclusively to criminal law provisions and require engagement with the Court system through either summary or solemn procedures.

17. It is Scottish Government justice policy to consider the use of non criminal proceedings where appropriate to release pressure on the criminal justice system.

18. Research² suggests that a flexible, proportionate, risk-based approach which utilises a range of direct measures and other tools in addition to criminal prosecution is needed to improve compliance. Therefore it may be appropriate to extend the range of tools available to enforcers and to provide a non-criminal route to achieve compliance.

19. The Westminster Regulatory Enforcement and Sanctions Act 2008 provides broad brush enabling powers for civil sanctions including fixed monetary penalties; discretionary requirements such as a variable monetary penalty or compliance or remediation notices; stop notices; and enforcement undertakings for reserved measures in Scotland. However, the subject of this Act does not extend to food and feed law in Scotland.

20. At this stage this consultation deals with a proposal to provide suitable enabling powers; the introduction of any new legislative policy would be the subject of further detailed consultation.

Questions asked in this consultation:

Q3: Do you agree that it would be useful to provide enabling provisions in this area?

Yes, North Ayrshire Council supports this proposal and feels it embodies the recommendations of the McCrory report and is consistent with the better regulation principles.

Q4: If these were to be introduced which areas of food and feed regulatory policy do you think they would be best suited to?

Technical contraventions where it might not be appropriate to criminalise the FBO. Food Standards – labelling contraventions, particularly where there has been fraudulent practise resulting in the food business gaining a commercial advantage e.g. use of “organic” or “origin” claims, fancy menu descriptions, lamb/beef substitutions.

² Richard Macrory “Regulatory Justice: Making Sanctions Effective”. November 2005 and Philip Hampton “Reducing Administrative Burdens: Effective Inspection and Enforcement” 2 March 2005

Q5: Do you have any experience of the application of similar provisions in other areas of public policy and if so have you considered them a useful tool?

North Ayrshire Council has used similar provisions in the Smoking ban enforcement, Environmental Protection Act 1990 nuisance provisions and found them to be effective.

c) New primary legislative powers to enable the detention of any food, where there are reasonable ground to suspect that it does not meet the requirements of food law in relation to food standards or labelling, similar to those which already exist for foods not complying with food safety legislation.

Background

21. The recent incidents of meat species substitution have provided a heightened focus on food standards enforcement and raised the profile of the importance of this work with consumers.

22. Early stakeholder feedback has identified a strong preference for robust enforcement tools to be available to help ensure there are sufficient deterrents in place to prevent these situations from arising and ensure swift interventions can be applied to prevent accidental or deliberate marketing of such products should non-compliance be detected. The NFBB consultation seeks stakeholders' views on a general question with respect to the possible need for further statutory powers in this area. However, one potential area where primary legislative powers might be required has already been identified during the ongoing investigations and this is described below.

23. Statutory powers already exist to allow enforcement officers to seize and detain foods, pending further investigation where there is a suspicion that the foods do not comply with food safety requirements. However these powers are not available where foods do not pose a public health risk, but may be described or labelled in a misleading way, or where the foods might not comply with the compositional standards. There may be circumstances where breaches of the statutory provisions related to this are suspected, but cannot be confirmed until the results of analytical testing or other investigations have been completed. In these circumstances a power of detention would provide control over any such food while it is under investigation.

Questions asked in this consultation:

Q6: Do you consider that it would be useful to extend the existing powers of authorised officers to detain food, which already exists for foods not complying with food safety requirements, to areas where the food is considered safe but there are doubts over either its composition or its description or labelling?

North Ayrshire Council suggests it would be useful to extend existing

powers. The recent situation of horse meat found in beef products is exactly where it could be used.

Q7: In addition to extending the scope of the powers to detain food to areas of food standards and labelling do you consider that there are any situations where powers should also be provided to allow for foods to be seized and destroyed for non-compliance with food standards and labelling rules, similar to those that already exists for foods not meeting food safety requirements?

North Ayrshire Council thinks this makes sense and could be used where it is not practical to rewrap/re-label food.

Consultation Process

24. A 12-week public consultation is being undertaken on the proposals outlined above. All responses received as part of this consultation will be given careful consideration. These will be summarised and published on the FSA website in due course.

25. In advance of this consultation Scottish Government and the FSA arranged an initial scoping meeting with Stakeholders to seek views on the above proposals.

Responses

26. **Responses are required by close 22nd May 2013.** Please state, in your response, whether you are responding as a private individual or on behalf of an organisation/company (including details of any stakeholders your organisation represents).

Publication of consultation responses

27. A summary of responses to this consultation will be published and placed on the Food Standards Agency Scotland website within three months from the close of the consultation process

Thank you on behalf of the Food Standards Agency in Scotland for participating in this public consultation.

Yours faithfully

Fiona Bruce

Standards & Hygiene Associated Regulatory Policy
Food Standards Agency in Scotland

Enclosed
Annex A: Standard Consultation Information
Annex B: List of interested parties

Queries

1. If you have any queries relating to this consultation please contact the person named on page 1, who will be able to respond to your questions.

Publication of personal data and confidentiality of responses

2. In accordance with the FSA principle of openness, our office in St Magnus House in Aberdeen will hold a copy of the completed consultation. The FSA will also publish a summary of responses, which may include full name. Disclosure of any other personal data would be made only upon request for the full consultation response. If you do not want this information to be released, please complete and return the Publication of Personal Data form, which is on the website at <http://www.food.gov.uk/multimedia/worddocs/dataprotection.doc>. Return of this form does not mean that we will treat your response to the consultation as confidential, just your personal data.
3. In accordance with the provisions of Freedom of Information Act 2000/Environmental Information Regulations 2004, all information contained in your response may be subject to publication or disclosure. If you consider that some of the information provided in your response should not be disclosed, you should indicate the information concerned, request that it is not disclosed and explain what harm you consider would result from disclosure. The final decision on whether the information should be withheld rests with the FSA. However, we will take into account your views when making this decision.
4. Any automatic confidentiality disclaimer generated by your IT system will not be considered as such a request unless you specifically include a request, with an explanation, in the main text of your response.

Further information

5. A list of interested parties to whom this letter is being sent appears in Annex B. Please feel free to pass this document to any other interested parties, or send us their full contact details and we will arrange for a copy to be sent to them direct.
6. Please let us know if you paper copies of the consultation documents or of anything specified under '**Other relevant documents**'.
7. This consultation has been prepared in accordance with HM Government Code of Practice on Consultation, available at: <http://www.berr.gov.uk/files/file47158.pdf>. The Consultation Criteria from that Code should be included in each consultation and they are listed below:

The Seven Consultation Criteria

Criterion 1 — When to consult

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

Criterion 2 — Duration of consultation exercises

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

Criterion 3 — Clarity of scope and impact

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

Criterion 4 — Accessibility of consultation exercises

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

Criterion 5 — The burden of consultation

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in to the process is to be obtained.

Criterion 6 — Responsiveness of consultation exercises

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

Criterion 7 — Capacity to consult

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

8. The Code of Practice states that an Impact Assessment should normally be published alongside a formal consultation. We have not produced a Business & Regulatory Impact Assessment for this proposal because the subject of this consultation does not have any impact at this stage. The purpose of this consultation is simply to obtain views of stakeholders about the merits of providing Scottish Ministers with new primary enabling provisions which may confer new powers on the new food body and local authorities in the future. An impact assessment will be produced, as required, should any of the new enabling powers be proposed to be adopted in the future.
9. For details about the consultation process (not about the content of this consultation) please contact: [Food Standards Agency Consultation Co-ordinator](#), 2nd floor, Aviation House, 125 Kingsway, London, WC2B 6NH. Tel: 020 7276 8140.

Comments on the consultation process itself

10. We are interested in what you thought of this consultation and would therefore welcome your general feedback on both the consultation package and overall consultation process. If you would like to help us improve the quality of future consultations, please feel free to share your thoughts with us by using the Consultation Feedback Questionnaire at <http://www.food.gov.uk/multimedia/worddocs/consultfeedback.doc>
11. If you would like to be included on future Food Standards Agency consultations on other topics, please advise us of those subject areas that you might be specifically interested in by using the Consultation Feedback Questionnaire at <http://www.food.gov.uk/multimedia/worddocs/consultfeedback.doc>. The questionnaire can also be used to update us about your existing contact details.

NORTH AYRSHIRE COUNCIL

Agenda Item 8

14 May 2013

Cabinet

Subject: **Change Programme: Progress as at 31 March 2013**

Purpose: To provide an update in relation to the Change Programme.

Recommendation: That the Cabinet notes (a) the continuing good progress of the Change Programme as at 31 March 2013 and (b) the proposed schedule for future updates.

1. Introduction

- 1.1 The Change Programme seeks to effect Council-wide transformational change to address unavoidable demographic and financial pressures. This mirrors the national public service reform programme established by the Scottish Government.
- 1.2 On 6 February 2012, the CMT agreed to pilot key changes to the way the Strategic Partnership with iMPower Consulting operates, including:
 - Adopting a revised risk reward model that gives increased emphasis to outcomes, rather than outputs; and
 - Introducing a simpler approach to enable engagement with our Strategic Partner on a call off basis.
- 1.3 This report provides an update on progress as at 31 March 2013.

2. Current Position

Social Services and Health

- 2.1 The Social Services Change Programme will be covered in a separate report.

Education and Skills

2.2 The Education Business Case was approved by the former Education Executive of North Ayrshire Council on 25 October 2011. The work streams within the Business Case were identified as:-

- Effective Use of the Education and Skills Estate
- Budget Devolution and Cluster+
- Review of Early Years Provision
- Review of Senior Phase and Post 16 Education

2.3 Since then, further workstreams have been added covering:-

- Schools budgets
- Support Services

Effective Use of the Education and Skills Estate

2.3.1 Statutory public consultation underway on the proposed Three Towns Campus, as agreed by the Cabinet on 26 March 2013, which will run until 14 June 2013.

2.3.2 Outcome of statutory public consultations on the latest Garnock Academy proposals are expected to be reported to Cabinet on 11 June 2013.

Budget Devolution and Cluster +

2.3.3 Covered by a separate report to Cabinet on 30 April 2013.

Review of early years provision

2.3.4 Covered by a separate report to Cabinet on 30 April 2013.

Review of Senior Phase and Post 16 Education

2.3.5 The draft Senior Phase paper was discussed with secondary head teachers in January and consultation ran throughout February. Agreement has been reached on the common timetabling of two columns in the S5/6 timetable, within two of the local consortium. This will facilitate the shared delivery of Advanced Highers and access to college courses in session 2013-14.

2.3.6 Further video conference units have been purchased to support the development of the Council's Virtual Learning Environment (VLE) to support the delivery of Advanced Highers for session 2013-14.

Schools budgets

- 2.3.7 Targeting savings of £3m across schools' budgets over the next three years –identify savings on an area basis in line with the Council's neighbourhood approach.

Support Services

- 2.3.8 Working with Social Services to review pupil support and welfare services, and create an integrated, multi-disciplinary, area-based support service – targeting savings of £2 million to be achieved over the next three years. A proposal for the locality based integrated support service is intended to be brought to Cabinet in October 2013.

Bridgegate House

- 2.4 Work continues on the project to make Bridgegate House the main public face of the Council, relocating front facing functions to a customer services one-stop-shop. The Bridgegate programme represents a £9.3m investment, which will deliver significant benefits to customers and staff whilst contributing to the local economy and regeneration of Irvine town centre.
- 2.5 Demolition and Construction works have progressed to the second phase and the autumn completion date will be reviewed following completion of the first phase decants. This is currently expected to be in October or November.
- 2.6 Staff from a number of services have successfully decanted into the refurbished premises, with the customer service centre and municipal bank programmed to open 07 May 2013.

Early Intervention and Prevention

- 2.7 The early intervention and prevention programme sets out to improve outcomes for vulnerable young children in North Ayrshire. The main elements of the programme are:-
- Parenting Programmes
 - Early Years Centres
 - Family Support Service
 - Multi Agency Domestic Abuse Response Team
 - Permanent Care for Children
 - Family Nurse Partnership
 - Asset Based Community Development (ABCD) Project
- 2.8 Good progress is being made with the Multi Agency Domestic Abuse Response Team (MADART), in reviewing models of permanent care for children, on the Family Nurse Partnership and on the ABCD project. The Family Support Service will commence in May 2013.

- 2.9 The early intervention and prevention programme has been expanded in 2013/14 with additional resources of £1.1 million.
- 2.10 This funding will be used to create a new service to provide home-based practical support to vulnerable families. More information, training and opportunities will be provided for parents to develop their parenting skills. The Early Years Centres will be further improved to provide support and advice with Money Matters, Home Inclusion and Social Services staff being based in the Centres. A "Stop Now and Plan" programme is being introduced to reduce behavioural problems in children aged 6 to 8 years. For 16 to 19 year olds who are leaving care, supported carers will be recruited to look after them before they move into their first home.
- 2.11 The Early Years Collaborative introduced by the Scottish Government provides an opportunity for good practice in the early years to be shared across Scotland. North Ayrshire CPP's participation in this initiative will support the progress being made through the programme.

Altering Service Demand

- 2.12 This project, initiated to investigate issues around environmental crime in general and littering specifically, has now completed.
- 2.13 A final report has been provided to the project sponsor and follow up work is being scoped around the four key recommendations:
- Development of the management information available, which will be vital in enabling the Service to sustain continuous improvement.
 - Implementation of a revised communication strategy focusing on key service themes and increased community engagement.
 - Working with local businesses to (a) ensure that licensing and regulations are used appropriately and effectively (b) promote a consistent level of responsibility for the immediate environment.
 - A pilot, to redirect reactive resource to proactively clean litter hot spots more frequently.

Transport

- 2.14 The Transport Business Case set out the benefits of having a centralised transport hub, including enhanced planning, budgeting, scheduling, procurement, regulation compliance, and health and safety compliance.
- 2.15 The Corporate Transport Facility went live on 01 April 2013 and is budgeted to deliver revenue cost savings of £830k per year by 2014/15, along with a significantly reduced capital plan over the same period.

- 2.16 The scheme of delegation for the hub resulted in the transfer of 15.5 FTE, from across the Council, and the creation of 1 new post.

Asset Management

- 2.17 The Council is working towards the long term goal of adopting a "corporate landlord" approach to the management of its properties. This involves a particular focus on corporate ownership and a proactive approach to management of assets, in line with the Council's Property Asset Management Plan.
- 2.18 The first phase of this work concluded with the creation of the remodelled Property Management & Investment department, in December 2012. This involved the transfer of 3 FTE from Education & Skills, the development of a new vision for the department, the re-working of the fee matrix for the services provided, and the establishment of a strategic property group.
- 2.19 A service lead initiative is now underway to deliver the next phase of the project, including the corporate management of property assets and budgets.

Supporting Services

- 2.20 The Council expects to spend over £22m per annum on "supporting services", i.e., ICT, Human Resources, Risk and Audit, Payroll, Procurement, Communications, Facilities Management, Asset Management, and Revenues and Benefits. This project sets out to evaluate which model of service delivery offers North Ayrshire best value.
- 2.21 The key outputs from the options appraisal phase, including the final report, output specifications, financial baselines, and market research are now with the project sponsor and a recommendation will be made to the Cabinet in due course.

Customer Services

- 2.22 Initial work to refresh the Council's main customer facing website, www.north-ayrshire.gov.uk, is now complete and the updated website will have gone live in April 2013.
- 2.23 Work is ongoing to develop and enhance the refreshed website, with internal resource and accountabilities reorganised to drive this and temporary resource put in place to help support initial workloads.

- 2.24 The review of Registration Services is now complete and the integrated organisational structure will have gone live on 01 April 2013. Systems development work, to enable new working practise is also complete, and will be implemented in a phased approach, aligned with the transfer of staff and calls into the Customer Service Centre over the summer.
- 2.25 The proposed Telephone Numbering Strategy for the Customer Service Centre, making greater use of local 'geographic' numbers rather than more costly non-geographic numbers, will be the subject of a members briefing in due course.

Path to Purchase

- 2.26 This project was initiated to identify how the process of paying suppliers could be sped up, addressing new targets set by the Scottish Government and benefitting the many local business which the Council transacts with.
- 2.27 Initial findings have been provided to the project sponsor, covering (a) process, how staff following best practise can drive improvement and (b) systems, how technology could enable three way matching of purchase orders, invoices, and receiving.

Community Asset Transfer

- 2.28 This project sets-out to improve the way the Council handles applications for the transfer of assets to our communities. Ensuring local practise supports the aims of the Community Empowerment and Renewal Bill.
- 2.29 An initial exercise has been completed to define and agree the supporting materials, cross service processes, and service levels for this process. A report documenting the revised process has been provided to the project sponsor and will be brought to the CMT in due course.

HR Process Review

- 2.30 A review of transactional processes is now underway across HR and Payroll. This is a process optimisation exercise, applying LEAN principles to improve the speed, efficiency, and reliability of the in scope processes.
- 2.31 A pilot has been designed to implement electronic forms and workflows to key processes, to both quantify benefits and to test these technologies.
- 2.32 The possibility of applying a more structured approach, LEAN 6 Sigma, is currently being evaluated.

Business Support Phase 2

- 2.33 Building on the initial re-organisation of administrative staff, across Finance & Corporate Support, Development & the Environment, and Chief Executives. This phase sets out to develop and implement a revised organisational structure for the new department and to incorporate relevant staff who were out of scope for the first phase.

Print Management

- 2.34 This project sets out to reduce the Council's printing cost and to better enable mobile and flexible working by implementing a print management solution.
- 2.35 Canon's UNIFLOW print management software has been procured and will have been installed in April 2013. This represents best value and also simplifies installation and support by having a single provider for hardware and software.
- 2.36 This solution offers:-
- Users the ability to collect print jobs from any connected machine and to print from mobile devices, such as smartphones and tablets;
 - Improved management information around printing costs and practises; and
 - Simplified IT support, by avoiding the need to set up individuals and groups with different printers.
- 2.37 The first phase will be to implement Uniflow for staff decanting into the refurbished accommodation in Bridgegate. Then, over the summer, the solution will be rolled out in Cunninghame House.

Sustainable North Ayrshire

- 2.38 The Council has a major interest in and impact upon the sustainability of North Ayrshire. Although sustainability is a priority for all Services there is no over-arching strategy setting out the Council's approach or position.
- 2.39 This initial phase of work sets out to gather the information necessary to support the development of a more cohesive strategy and action plan.
- 2.40 The outputs from this phase will include:
- An 'As-Is' map of Council resources, activities and objectives which address sustainability issues.
 - Initial market research around the key themes of Fuel Poverty, CO2 Reduction, Green Economy, Transport & Travel.

Initiatives under review

- 2.41 The Business Change Team helps Services across the Council to identify, design, and execute transformational change. As well as being directly involved in much of the activity above, the team are currently supporting evaluation of a number of potential opportunities, including:-
- 2.42 Door entry & time recording system: The Council has a number of door entry and time recording systems and contracts in place across the organisation. This acts as a barrier to mobile and flexible working and carries a significant admin overhead.
- 2.43 The intention is to undertake an exercise, in the second half of the year, to evaluate options to adopt a more unified approach that takes advantage of current technology and better meets the future needs of the Council.
- 2.44 Benchmarking for improvement: Collaborating with policy & performance officers and Service representatives, to promote the use of benchmarking data as a 'can-opener' to identify where there are specific opportunities to improve, rather than just as a tool to evidence how service level are changing.

3. Proposals

- 3.1 Historically progress updates on the Change Programme have not been provided to a strict calendar, sometimes on account of scheduling clashes but often to align with particular events, such as year-end or Cabinet decisions.
- 3.2 It is proposed that, in future, reporting will take place on a quarterly basis, aligned with the financial year. This would be intended to allow updates into Covalent to be used to drive reporting where appropriate.
- 3.3 This will:
- Reduce the admin burden on Services.
 - Further imbed the use of our performance management system.
 - Improve consistency in what is reported.
 - Simplify the reporting process.
- 3.4 These reports will include an updated outcome map, as approved by the Cabinet on 18 September.

3.5 The reporting schedule for 2013/14 will be:

Q0 – Report to Cabinet in May 2013 (incl. outcome map for 2013/14)

Q1 – Report to Cabinet in August 2013

Q2 – Report to Cabinet in November 2013

Q3 – Report to Cabinet in February 2014

Q4 – Report to Cabinet in May 2014 (incl. outcome map for 2014/15)

3.6 One challenge faced when building business as usual activities around the reporting cycle for the Performance Management System is that it follows an annual cycle, starting afresh each year. However strategic planning and now budgeting run over a number of years on a rolling basis. If the same approach were adopted for Performance Management this could potentially allow a more joined-up approach.

3.7 The Cabinet is invited to note (a) the continuing good progress of the Change Programme as at 31 March 2013 and (b) the proposed schedule for future updates.

4. Implications

Financial Implications

4.1 Efficiencies generated from the Change Programme are considered as part of the Council's budget process. As business cases are reviewed at key stages in projects, changes to anticipated savings and costs will be agreed with Finance and outlined in subsequent programme updates.

Human Resource Implications

4.2 There are no Human Resource Implications at this stage.

Legal Implications

4.3 There are no legal implications at this stage.

Equality Implications

4.4 There are no equality implications at this stage.

Environmental Implications

4.5 There are no environmental implications at this stage.

Implications for Key Priorities

4.6 The Change Programme is designed to support all four objectives of the Council Plan.

5. Consultations

- 5.1 The Corporate Management Team continues to review and monitor overall progress, providing necessary sign-off, and resolving strategic issue.6.1

6. Conclusion

- 6.1 Although largely based on anecdotal data, it seems to be increasingly difficult to secure time from key personnel and this is directly impacting on transformational activity. This should be closely monitored as it may indicate that the Council, as it stands, is operating close to its capacity to deliver change.
- 6.2 Another area that is coming to prominence is the potential for the Council to make better use of its data assets and the increased demand on staff to make evidence based decisions, whilst working with imperfect data.
- 6.3 There are a number of factors driving this:
- Increasing collaboration across Services and Organisations but not enabled by systems that talk to each other.
 - Increasing complexity both in terms of solutions and problems.
 - Increasing availability of data, as more and more often there is a digital component to the consumption or delivery of services.
 - Limited resources mean that when selecting which intervention to undertake we are increasingly choosing which is best rather than which is worthwhile, which can be marginal.
- 6.4 None of these factors is likely to ease over coming years and, if the organisation is to realise its potential to transform itself, there needs to be a concerted effort to further improve the 'data literacy' of officers and the management information available to decision makers.



ELMA MURRAY
Chief Executive

Reference :

For further information please contact Colin O'Kane, Change Programme Manager on telephone number 01294 324231

Background Papers

None.

NORTH AYRSHIRE COUNCIL

Agenda Item 9

14 May 2013

Cabinet

Subject: **Assurance and Improvement Plan 2013-16**

Purpose: To advise the Cabinet of the Council's updated Assurance and Improvement Plan for 2013-16 prepared by the Local Area Network of external scrutiny bodies.

Recommendation: That the Cabinet notes the Assurance and Improvement Plan 2013-16.

1. Introduction

- 1.1 Following the publication of the Crerar Report in September 2007, the Scottish Government committed to establishing a simplified and more proportionate approach to the external scrutiny of local government. The Government subsequently asked the Accounts Commission to coordinate work to improve the scheduling and planning of external scrutiny through an annual shared risk assessment.
- 1.2 The shared risk assessment is undertaken by a Local Area Network (LAN) of external scrutiny bodies, including Audit Scotland, Education Scotland (formerly HMIE), the Care Inspectorate and the Scottish Housing Regulator. The LAN produces a rolling 3 year Assurance and Improvement Plan (AIP) which covers strategic scrutiny work.
- 1.3 The previous AIP for 2012-15 was reported to Cabinet on 6th June 2012. This highlighted that 2 national risk priorities (see 2.4 and 2.5 below) and 4 other areas (2.7 and 2.8 below) were classified as 'areas of uncertainty' for North Ayrshire Council.

2. Current Position

- 2.1 The Council's AIP for 2013-2016 (attached at Appendix 1) was published in March 2013 and includes:
 - a short executive summary;
 - an assessment of the Council's position in relation to a number of identified national risk priorities;
 - areas that continue to be classified as 'no scrutiny required';
 - areas with changes to the risk assessments in the previous AIP; and
 - details of planned scrutiny activity.

2.2 The shared risk assessment for 2013-2016 began in October 2012, with the LAN drawing information from a number of sources, including:

- the annual report to the Controller of Audit and elected members for 2011/12 from Audit Scotland (this was reported to the Audit Committee on 06/11/2012);
- the Council's own performance data and self-evaluation evidence;
- evidence gathered from Education Scotland, the Care Inspectorate and the Scottish Housing Regulator (including published inspection reports and other supporting evidence).

2.3 Three categories of risk are defined within the AIP. These have changed since the previous year to improve clarity:

- 'scrutiny required' (previously referred to as 'significant concerns');
- 'further information required' (previously 'uncertainty'), where there is insufficient information available to the LAN to enable it to determine whether additional scrutiny activity is required;
- 'no scrutiny required' (previously 'no significant concerns').

2.4 National Risk Priorities

The LAN has identified that no scrutiny is required in relation to the 3 core national risk priorities that have been applied to all 32 Councils. These are:

- the protection and welfare of vulnerable people (children and adults);
- assuring public money is being used properly; and
- how Councils are responding to the challenging financial environment.

Sufficient evidence has been gathered by the LAN in relation to the Council's response to these issues to enable it to conclude that no specific scrutiny is required in North Ayrshire.

2.5 This is an improvement over the position identified in the previous risk assessment, when both 'assuring public money is being used properly' and 'how Councils are responding to the challenging financial environment' were assessed as being areas of uncertainty where further information was required by the LAN.

2.6 No Scrutiny Required

The shared risk assessment has identified a range of service and corporate areas where there continues to be 'no scrutiny required'. Although the AIP aims to focus on areas that do require some scrutiny or where further information is required, it also provides information on areas where no scrutiny is required in order to present a balanced picture. These areas are detailed in full within the AIP.

2.7 Changes to Risk Assessments since the 2012-15 AIP

There are 4 areas within the Council, previously identified as 'further information required', where the risk assessment has now improved to 'no scrutiny required'. These are:

- Social Services and Health - Risk assessment and management;
- Governance and Accountability;
- Performance Management and Challenge and Improvement;
- Asset Management.

2.8 Planned Scrutiny Activity

The LAN has gathered sufficient evidence on the good progress made by the Council in each of these areas over the last year to enable it to improve its risk assessment and conclude that no specific external scrutiny work is required in any of these areas.

2.9 Following the shared risk assessment, there will be no external scrutiny activity directed specifically at North Ayrshire Council over the period 2013-2016. However, the report does identify some national scrutiny activity in which North Ayrshire will participate. This includes:

- a joint inspection of children's services at the request of Ministers (April 2013);
- a follow-up in May 2013 of the Audit Scotland report 'Scotland Public Finances: Addressing the Challenges' (published August 2011 and reported to the Scrutiny Committee on 07/11/2011);
- additional follow-up on the Workforce Planning element of the Audit Scotland 'Public Finances' report (April 2013);
- subject to Ministerial approval, the Care Inspectorate will undertake a supported self-evaluation within criminal justice social work services (late 2013).

3. **Proposals**

3.1 It is proposed that the Cabinet notes the AIP 2013-2016.

4. **Implications**

Financial Implications

4.1 None.

Human Resource Implications

4.2 None.

Legal Implications

4.3 None.

Equality Implications

- 4.4 None.

Environmental Implications

- 4.5 None.

Implications for Key Priorities

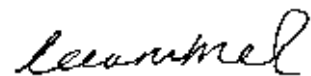
- 4.6 External scrutiny directly contributes to objective 4 of the Council Plan 2012-2017: 'Operating more efficiently and effectively'.

5. Consultations

- 5.1 The LAN consulted with the Corporate Management Team in January 2013 during the preparation of the AIP 2013-16.

6. Conclusion

- 6.1 The LAN has concluded that no specific scrutiny is required in North Ayrshire.
- 6.2 This does not mean that the Council has addressed all risks or that all areas of performance are improving. It means that the LAN is satisfied that there is either more evidence to demonstrate awareness and monitoring of the key risks to meeting outcomes and service delivery, or better information is available to demonstrate performance in areas where further information was previously required.
- 6.3 To ensure the positive assurance from the AIP 2013-16 is sustained it is essential that the Council continues to monitor the key risks and deliver improved performance in order to meet the standards expected by the external scrutiny bodies.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Paul Doak, Senior Manager (Internal Audit, Risk and Performance) on telephone number 01294324561.

Background Papers

Assurance and Improvement Plan 2013-16 (Audit Scotland, March 2013)

North Ayrshire Council

Assurance and Improvement Plan

Update 2013–16

March 2013

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Introduction

1. The first Assurance and Improvement Plan (AIP) for North Ayrshire Council was published in July 2010. That document set out the planned scrutiny activity for the council for the period April 2010 to March 2013 based on a shared risk assessment (SRA) undertaken by a local area network (LAN) made up of representatives of all of the main local government audit and inspection agencies. The aim of the SRA process was to focus scrutiny activity where it is most needed and to determine the most proportionate scrutiny response over a three year period. The local area network met again in November 2010 and in November 2011 to update the AIP. The last AIP Update was published in May 2012 covering 2012-15.
2. This update is the result of the SRA which began in October 2012. The update process drew on evidence from a number of sources, including:
 - The annual report to the Controller of Audit and elected members for 2011/12 from the council's appointed external auditors.
 - The council's own performance data and self-evaluation evidence.
 - Evidence gathered from Education Scotland, the Care Inspectorate and the Scottish Housing Regulator (including published inspection reports and other supporting evidence).
3. A timetable for proposed audit and inspection activity between April 2013 and March 2016 which reflects the revised and updated scrutiny risk assessment is at Appendix 1.
4. Following feedback about the clarity of the SRA process we have amended our criteria to make it clearer what we mean. Our assessment criteria descriptions used last year have changed from 'significant concerns' to 'scrutiny required'; 'no significant concerns' to 'no scrutiny required'; and 'uncertainty' to 'further information required'.

Summary

5. There continues to be no specific scrutiny required by the LAN as part of this shared risk assessment process.
6. The LAN identified four areas in the previous AIP where further information was required before we could conclude an appropriate scrutiny response. The LAN has obtained satisfactory evidence in each of these areas as follows:
 - The council has made improvements to its performance management arrangements, including those for self evaluation. The council are committed to conducting a second council-wide PSIF assessment in early 2013, and have twenty two EFQM accredited assessors embedded within services. The LAN will continue to monitor progress in this area.
 - The LAN obtained information to demonstrate the council's improvements within certain aspects of its governance and accountability. While the LAN are satisfied with this progress, Audit Scotland will continue to monitor this area.
 - The council has made improvements to its strategic framework and mechanisms for monitoring asset management. While the LAN are satisfied with this progress, Audit Scotland will continue to monitor area.
 - The Care Inspectorate carried out work to establish whether the social work service had taken steps to address concerns raised regarding assessing and managing risk, and whether it had adopted improved case management practices. The Care Inspectorate concluded that sufficient improvements have been made. While there is further work to be done, the revised guidance and training delivered to staff means that no further information is required in this area. The Care Inspectorate will, however, continue to monitor progress in this area.
7. This does not mean that the council have addressed all risks or that all areas of performance are improving. However, it does mean that the LAN are satisfied that there has been either:
 - improved information available to demonstrate performance in areas where, previously, further information was required; or
 - improved self awareness of the standards of performance required at a service level; or
 - more evidence to demonstrate awareness of, and monitoring of, the key risks to meeting outcomes and service delivery; and
 - hence, no specific scrutiny work is required by the LAN aimed at areas perceived to be at risk.
8. North Ayrshire Community Planning Partnership (NACPP) was selected as a pilot site regarding the audit of community planning partnerships. The audit, which was carried out during 2012/13, concluded that community planning is well established in North Ayrshire, the CPP has good awareness of the key issues facing the community, and there are examples of CPP partners working together to improve outcomes.

9. However, while there are pockets of good practice in many aspects of CPP working, health, economic and social outcomes for citizens remain poor, and significant gaps remain between the least and most deprived communities. The audit also noted that many of the performance measures for "a healthy and active North Ayrshire" are broad in nature and thus open to interpretation, making it difficult to ascertain progress against its healthy outcomes. The council's obligations under the CPP improvement plan will be monitored by LAN members.

National risks

10. Local councils are operating within a context of significant change as a result of the challenging financial environment and the public service reform agenda, including the review of community planning, health and social care integration, police and fire reform, college regionalisation, and welfare reform. The Local Government Scrutiny Co-ordination Strategic Group is currently considering how audit and inspection arrangements should collectively respond to these significant strategic developments, recognising the increasing importance of partnerships, place and outcomes for Scotland's public services.
11. A number of core national risk priorities will be applied to all 32 councils. These are:
12. **The protection and welfare of vulnerable people (children and adults): No scrutiny is required.**
13. At the request of Scottish Ministers, the Care Inspectorate developed a methodology for the joint inspection of children's services in community planning partnership areas in Scotland, working in partnership with other scrutiny bodies (Education Scotland, Healthcare Improvement Scotland and Her Majesty's Inspectorate of Constabulary for Scotland (HMICS)). These inspections will focus on how well local public bodies (councils, the NHS, police, etc.) are working together to deliver effective outcomes for children and young people. These joint inspections, which will report publicly, began in the autumn 2012. North Ayrshire Council's pilot joint inspection of services for children is currently underway and will be reported in 2013.
14. In addition, the Care Inspectorate is working in cooperation with Healthcare Improvement Scotland to develop an approach to inspecting services providing care and health for adults drawing on its experience of implementing joint inspections of child protection and children's services. Development work involving a number of local authorities is underway and will continue into the early part of 2013. Following this, the Care Inspectorate will implement a programme of these inspections. Further details of the schedule will be confirmed in due course.
15. Subject to Ministerial approval, the Care Inspectorate, in partnership with the Association of Directors of Social Work (ADSW) and the Risk Management Authority (RMA), will undertake supported self-evaluation across the 32 local authority criminal justice social work services during the latter part of 2013. This will look at the impact of the Level of Service Case Management Inventory (LSCMI), otherwise known as the national assessment and care planning instrument. This particular approach is one of a number of approaches the Care Inspectorate will use in its current and future scrutiny and improvement work in this area.
16. The Scottish Housing Regulator (SHR) plans to carry out a thematic inspection into the outcomes that local authorities are achieving by delivering a Housing Options and Prevention of Homelessness approach. SHR will carry out this thematic inspection during the first half of 2013/14. This is likely to involve fieldwork visits to a small sample of local authorities. SHR is

currently identifying potential fieldwork sites and will be contacting those councils that it would like to visit in early 2013.

17. North Ayrshire Council gives significant priority to the care and protection of vulnerable children and adults. It has worked successfully with its partners in developing plans and implementing new ways of working to fundamentally change how services and support are provided to older people. Modernisation of services continues for other adult groups, especially for people with a learning disability and people with addiction problems. The council has invested in children's services and has reviewed and revised its thresholds for children who did not meet child protection criteria. It has given prominence to the systematic consideration of significant case reviews through its practice governance board and has developed a range of tools and guidance to support effective risk assessment and risk management across the whole service.
18. School inspections have highlighted no issues in relation to the protection of children. Recent reports indicate that school procedures for ensuring the safety and welfare of young people are robust.
19. **Assuring public money is being used properly: No scrutiny is required**
20. The annual audit of councils forms part of the baseline scrutiny of councils. This audit examines the financial management and controls in each council. The council has sound governance arrangements in place which are operating effectively. The 2011/12 audit did not find any material weaknesses in the accounting and internal control systems.
21. In the 2010/11 annual audit report, concerns were highlighted regarding the governance of goods and services ordered and invoiced at the year end. Additional audit testing was carried out in the 2011/12 audit and it was concluded that the issue had been satisfactorily addressed.
22. Members praised the good quality information available to them when setting the council budget for 2012/13, including an open and transparent basis for identifying and determining areas where savings were required.
23. **How councils are responding to the challenging financial environment: No local scrutiny required other than monitoring of the financial position through the annual audit.**
24. Recognising the significance of the uncertain financial context within which councils operate, Audit Scotland produced Scotland's Public Finances: Addressing the Challenges in August 2011. Follow up work around the issues raised in the report will be undertaken in each council during 2013/14 to provide the Accounts Commission and the Auditor General for Scotland with evidence on the progress that public bodies are making in developing a strategic response to these long-term financial challenges. In addition, a specific piece of work on Scottish Public Finances: Workforce Planning will be undertaken in 2013/14.
25. The council has usable reserves totalling £57.697 million as at 31st March 2012 and a history of spending within its budgets. These reserves include an unallocated general fund balance of

£6.029 million, in line with the council's reserves strategy to retain 1.5% of budgeted gross expenditure for the year. The council has demonstrated that it is engaged in identifying efficiency savings to address funding shortfalls.

26. The council has prepared indicative budgets for 2013/14 and 2014/15 in order to plan for these challenging times. The council has identified a funding gap for the three years to 2015/16 of £22.168 million. As noted in the 2011/12 annual audit report, the council is currently identifying strategically based savings to address the estimated funding gap.
27. The council is refreshing its current financial strategy to provide a longer term view of the council's position over a period of 10 years to support financial planning. In addition to this overarching strategy, the council has implemented a 3 year rolling budget and provided members with an option based budget to target resources.
28. The EHRC has commissioned a piece of work to assess the extent to which Scottish public authorities have complied with the specific duties of section 149 of the Equality Act 2010 during 2013. Analysis of public authorities compliance with the duty to publish equality outcomes and employment information will be available later in 2013. The results of this activity will be reflected in future Shared Risk Assessment work.
29. The LAN is committed to maintaining its engagement with the council between now and the next SRA cycle so that we can retain an overview of how the council is managing its response to the significant financial challenges that it and all other Scottish public bodies face.

Areas that remain 'no scrutiny required'

30. This update focuses predominantly on those areas assessed as 'scrutiny required' and 'further information required'. However, in the interest of providing a broader view of the council's overall risk assessment, it is important to highlight those areas that were previously assessed as requiring no scrutiny which continue to be so. The LAN identified no scrutiny is required in the following areas:

Area	Update
Service Areas	
Education and Skills services	<p>Almost all outcomes for young people across North Ayrshire schools continue to improve and self-evaluation is a strong feature of the local authority. However, senior staff in education and skills services need to ensure consistent action is taken as a result of self-evaluation to bring about well-paced improvement, particularly in attainment at S4 to S6.</p> <p>Education Scotland carried out inspections of two primary schools. Both were considered very strong and were given evaluations of excellent and very good. They have also completed the field work stage of the validated self-evaluation which showed that raising attainment and achievement remains a clear priority for the authority.</p> <p>Attainment in national qualifications remains mixed with better performance at SCQF levels 3 and 7. Attendance and exclusions were on target for 11/12.</p>
Social Services and Health - children, families and community justice	<p>Effective partnership working has continued between the council and a range of partners. Relationships have continued to develop between social work services and the local NHS.</p>

Area	Update
	<p>Children's services have continued to prioritise the implementation and improvements in assessing and managing risk. This is the case across the entire service, including criminal justice and community care.</p> <p>The findings from the joint inspection of children's services will be reported in 2013.</p>
<p>Social Services and Health - community care, housing and homelessness</p>	<p>Social work services indicators show good performance for personal care and weekend service. Homecare hours and evening/overnight service are also improving.</p> <p>Social work services and housing services are jointly managed and this has strengthened joint working between these two service areas. This has helped lead to developing a wide range of housing options for older people.</p> <p>The council's housing service is considered a sector leader and has hosted numerous best practice visits from other local authorities and organisations. The drop in homeless presentations is attributed to the council's proactive approach to early intervention and prevention.</p> <p>Housing management services and housing condition are considered good with most indicators comparing well to others.</p>
<p>Finance and Infrastructure - infrastructure & design</p>	<p>The council issued a Road Asset Management Plan (RAMP) which follows guidelines set out by Society of Chief Officers of Transportation in Scotland (SCOTS). The council have delivered well against the SCOTS carriageway indicators in 2011/12, particularly in relation to safety and response to category 1 defects.</p> <p>The council's annual investment in carriageway maintenance in 2011/12 (and the next four years) is less than that required to keep roads in a 'steady state'. Carriageway condition is currently in the lowest quartile and</p>

Area	Update
	<p>is unlikely to improve given the current investment commitments.</p> <p>Members are provided with balanced information regarding the poor condition of the roads and the investment required. The roads section carry out benchmarking and report performance in accordance with SCOTS performance indicators.</p> <p>The LAN considers, that while there are risks identified in this area, these are widely known, reported and are being managed. Therefore we conclude there is no further scrutiny risk within this service area.</p>
Finance and infrastructure - environment	<p>The net cost of refuse collection and disposal continues to be amongst the lower in Scotland, while the percentage of household waste that was recycled and composted increased from 43.5% in 2010/11 to 52.5% in 2011/12 and is in the top quartile in Scotland.</p> <p>The council planning service is the best in Scotland for processing planning applications within two months.</p>
Outcome Areas	
<p>A working North Ayrshire</p> <p>Regenerating our communities and increasing employment</p> <p>Educational Attainment</p>	<p>The CPP reports broadly positive progress against its SOA indicators, though business growth and employment are significantly adrift of target. The CPP has involved the private sector more directly, but needs to increase efforts to deliver improvements.</p> <p>The employment rate continues to be an issue and the number of new businesses per 10,000 working age population has decreased.</p> <p>The council achieved Enterprise Area status for Irvine from April 2012, and established the North Ayrshire Youth Employment Support Programme aimed at young unemployed people.</p>

Area	Update
	<p>By March 2012 the council recruited 90 apprentices (double the previous year); and delivered a future jobs fund project which provided 180 work placements and assisted over 1,000 North Ayrshire residents into work or training.</p> <p>Almost all education attainment indicators are improving over the long term and in short term comparisons. However, most indicators remain comparatively poor, with many in the lowest performing quartile.</p>
<p>A Healthy and Active North Ayrshire</p> <p>Protecting Vulnerable People</p>	<p>Many of the CPP performance measures for health are broad in nature and thus open to interpretation, making it difficult to ascertain progress against its healthy outcomes. Additionally, the SOA sets targets for only nine of the 25 'healthy' indicators which support the outcomes.</p> <p>In comparison to other councils performance in this area is relatively poor, with a significant number of indicators in the lowest performing quartile. However, 67% of Healthy and Active SOA indicators have met or are only slightly adrift of the targets set for 2011/12.</p> <p>An improvement plan was agreed following Audit Scotland's audit of NACPP. The LAN will monitor the improvement actions which the council carries out in response to this to demonstrate performance in relation to this outcome area.</p>
<p>A Safe and Secure North Ayrshire</p>	<p>The CPP reports good progress for most indicators under its 'safer North Ayrshire' priority. The council and its partners have a range of initiatives to contribute towards tackling community safety.</p> <p>Overall performance is mixed. Perceptions of safety and satisfaction with the area as a place to live are poor compared to other council areas but have improved from the</p>

Area	Update
	<p>previous year. Indicators relating to road safety show worsening performance, while those relating to crimes of serious violence and fire related accidents are improving.</p> <p>87% of Safe and Secure North Ayrshire indicators in the SOA have met the target for 2011/12.</p>
Operating More Efficiently and Effectively	<p>The amount of waste being recycled in North Ayrshire continues to increase and exceeds the nationally set target of 40%. A new Waste Strategy has been developed which helps the council meet the requirements of both the national waste agenda and local influences.</p> <p>The council is progressing through its Change Programme, with a focus on changing council services to meet the changing demands of the area. The efficiencies made have helped the council to deliver a balanced budget for 2012/13.</p> <p>The council's carbon emissions are reported regularly. From 2010/11 the council reduced its carbon dioxide emissions by 7%.</p>
Corporate Assessment Areas	
Vision and strategic direction	<p>The Single Outcome Agreement (SOA) action plan clearly states the community planning priorities of the council and partners and relates directly to the SOA. The SOA Annual Report includes outcomes in relation to these priorities.</p> <p>A council plan has also been implemented. This clearly states the council's core objectives, which are linked to the SOA priorities for North Ayrshire. These also show a clear link to service plans.</p>
Leadership and culture	<p>Following the local government election in May 2012, changes have been made to the structure of North Ayrshire council. A Cabinet structure has replaced the Executive</p>

Area	Update
	<p>committee. An audit committee has also been formed to undertake the audit functions of the previous scrutiny committee, leaving the scrutiny and petitions committee with new terms of reference.</p> <p>A revised senior management structure was also approved, increasing the number of directorates from three to four, with the introduction of a development and environment directorate. This change creates clearer and more streamlined functions. It aims to increase senior management capacity of the council. The new structure also aims to provide a dedicated focus on the environment.</p>
Planning and resource alignment	<p>Council services have been spending within their allocated budgets in recent years. The process for agreeing the 2013/14 budget makes provision for significant shifts in demography and other specific requirements highlighted by services.</p> <p>Service plans incorporate service budgets, with budgets being approved as part of the service planning process.</p>
Partnership working and community leadership	<p>The council is part of the Clyde Valley Partnership to secure a long term solution to the treatment of residual waste, and are involved in on-going work with partners to develop a response to the integration of health and social care.</p> <p>North, East and South Ayrshire Councils have developed a detailed business case for a shared service delivery model using a joint committee for all the roads and transportation services in Ayrshire. This is progressing but legal and re-deployment issues still require to be resolved.</p> <p>The NACPP audit concluded that community planning is well established in North Ayrshire, the CPP has good awareness of the key</p>

Area	Update
	<p>issues facing the community, and there are examples of CPP partners working together to improve outcomes. However, many health, economic and social outcomes for citizens remain poor, and significant gaps remain between the least and most deprived communities.</p>
Community engagement	<p>The council's annual performance report outlines the progression of the council's Straight Talking sessions, with more of these having taken place in 2011/12. 'Straight Talking' as a brand is planned to continue with a move from discussion on generic discussion to a focus on particular topics.</p> <p>A revised CPP community engagement strategy has been developed which takes into account Scottish Government consultation on the draft Community Empowerment and Renewal Bill, advice from the Scottish Governments working group on community councils and the Straight Talking consultation.</p>
Customer focus and responsiveness	<p>Indicators in the council's annual performance report for 2011/12 show that while the number of complaints received increased, the time taken to respond to customer complaints has improved.</p> <p>North Ayrshire was the first council to launch the 'report it' smartphone application. This allows residents to instantly provide comments to the council on a range of issues.</p>
Risk Management	<p>A revised risk management strategy for 2012/13 and strategic risk register were approved in September 2012. This provides a more consistent approach to monitoring risks through the risk register.</p> <p>There are satisfactory processes in place to determine strategic and operational risks.</p> <p>The Corporate Management Team agreed a</p>

Area	Update
	<p>risk management improvement plan which identifies six areas for development, including the establishment of a Corporate Risk Management group. This group, consisting of senior/chief officers, monitors the risk register on a regular basis and prepares a mid term report and annual report which are both presented to the CMT.</p>
ICT	<p>An ICT strategy was agreed for the period 2011-2016 and will evolve in response to changes in council needs and technology.</p> <p>The council has created an ICT steering group to oversee the delivery of the ICT strategy. Regular updates are issued.</p> <p>Investment is being provided to upgrade infrastructure and IT has secured funding for a software upgrade.</p>
Use of resources – efficiency	<p>The council is progressing through its change programme, with a focus on changing council services to meet the changing demands of the area. The efficiencies made have helped the council to deliver a balanced budget for 2012/13.</p> <p>The early realisation of efficiency savings contributed to the achievement of a general fund surplus of £4.507 million in 2011/12.</p>
Use of resources - competitiveness	<p>All 100 actions resulting from the 2011 best value improvement plan have been implemented.</p> <p>Progress regarding the change programme is reported to members every quarter. All services are covered. The council has plans in place to benchmark all services to ensure they remain competitive.</p> <p>Meanwhile, the council has continued to participate in a range of benchmarking exercises with other local authorities.</p>

Area	Update
Use of resources – financial management	<p>The council's usable reserves continue to stay in line with its strategy to retain 1.5% of budgeted gross expenditure for the year.</p> <p>The council has developed an overarching financial strategy, implemented a 3 year rolling budget and provided members with an option based budget to target resources.</p> <p>North Ayrshire council has identified the future funding gaps and are currently identifying savings to address these in line with the Change Programme.</p>
Use of resources – managing people	<p>The council has continued to downsize the workforce but has managed to avoid the need for compulsory redundancies. In 2011/12 the workforce was downsized by 308 full time posts with resultant savings of £8.527 million.</p> <p>Sickness absence performance indicators continue to be better than the national average. The council has introduced a new requirement for monthly absence reports to be presented to the corporate management team.</p>
Use of resources - procurement	<p>The council achieved a procurement capability assessment score of 51% in 2012, continuing the improving performance in this area and exceeding the Scottish Government expectation of 50% for councils.</p>
Equalities	<p>Council services implemented the Equality Action Plan for 11/12, with progress on this reported quarterly to the Corporate Equality Group. The council has reviewed its equality impact assessment processes during 2012 to ensure they comply with new legislation.</p> <p>Performance indicators relating to council buildings suitable for and accessible to disabled people, council employees with a disability and the percentage of females in top 2% and 5% of earners have all improved.</p>

Area	Update
	<p>The Equalities and Human Rights Commission have commissioned a piece of work to assess the extent to which Scottish public authorities have complied with the specific duties of section 149 of the Equality Act 2010 during 2013. The results of this activity will be reflected in future shared risk assessment work.</p>
Sustainability	<p>The council's carbon emissions are reported regularly. From 2010/11 the council reduced its carbon dioxide emissions by 7%.</p> <p>The recent senior management restructure involved the creation of a Development and Environment directorate. This aims to provide a clearer focus on the environment.</p>

Areas with changed assessments

31. The following table relates to assessments of scrutiny risk that have been changed from the 2012/13 update.

Area	2012/13 Risk Assessment	2013/14 Risk Assessment	Reason for Change
Education & Social Services			
Social services and health - risk assessment and management	Further information required	No scrutiny is required	The social work service has given high priority to making a range of improvements in its work on assessing and managing risk. In the last year this has included adopting a service wide approach to case file audit, producing and implementing practice guidance on chronologies of significant events, practice guidance on case recording, practice guidance on mental health officer services and introducing comprehensive guidance on risk assessment and risk management for all care groups. The implementation of this new guidance is leading to improved practice that is beginning to be evidenced through the case file auditing process. For example, a recent internal case file audit showed that

Area	2012/13 Risk Assessment	2013/14 Risk Assessment	Reason for Change
			half of the files read contained a satisfactory chronology. This shows considerable improvement. Although there is further work to be done, the revised guidance and training delivered to staff should ensure improved practice in this area and for that reason we have moved this assessment from further information required to no scrutiny required.
Corporate Areas			
Governance and Accountability	Further information required	No scrutiny required	<p>Issues were raised previously over the governance of goods and services ordered and invoiced at the year end, relating to services being processed in the wrong accounting year. Additional testing of orders and invoices covering the year end period of 2011/12 was carried out during the annual audit process. From this it was concluded that this issue had been satisfactorily addressed.</p> <p>The findings from the 2011/12 audit were that, overall, the council has satisfactory governance arrangements in place.</p>

Area	2012/13 Risk Assessment	2013/14 Risk Assessment	Reason for Change
Performance Management and Challenge and Improvement	Further information required	No scrutiny required	<p>The council's corporate management team have agreed to a second council wide PSIF self-assessment. This is due to commence in February 2013, with a target date of April 2013 for the completion of the improvement plan. The Corporate Management Team and Members will be included in this exercise.</p> <p>22 EFQM accredited assessors are now embedded within services. In Education and Skills, a further nine staff are qualified in assessment-related activity. The EFQM assessors facilitate internal self-assessments for their own services and for other services and external assessments as appropriate.</p> <p>The council achieved the Quality Scotland Committed to Excellence recognition in June 2012 and are committed to achieving full recognition by June 2014.</p> <p>The use of the Covalent electronic performance management system is now widespread throughout the council. All actions from action plans and internal audit reports</p>

Area	2012/13 Risk Assessment	2013/14 Risk Assessment	Reason for Change
			<p>are uploaded to Covalent for monitoring. This is contributing to an improved performance management culture.</p> <p>Overall, the LAN considers that the council has made considerable improvements to self-evaluation arrangements.</p>
Asset Management	Further information required	No scrutiny required	<p>The council has implemented six themed asset management plans covering property, roads, housing, open space, fleet and ICT. Each of these six plans are aligned with the council and community plan objectives. Each also has an action plan to ensure continued development of the councils approach to its core assets. These are also regularly reviewed by the Capital Programme and Assets Group (CPAG) and reported to the Cabinet. The council intend to use these to provide a more effective basis for investment decisions and to inform the development of a ten year capital plan.</p> <p>The council is working towards a 'corporate landlord' approach to the management of its properties. This involves a</p>

Area	2012/13 Risk Assessment	2013/14 Risk Assessment	Reason for Change
			<p>particular focus on corporate ownership and a proactive approach to management of assets in line with the Council's Property Asset Management Plan.</p> <p>The LAN considers that progress has been made in asset management. The plans have been formally approved and progress is being reported to the Cabinet.</p>

Scrutiny plans

32. The scrutiny plan at appendix 1 reflects the scrutiny to be carried out at the council. None of the scrutiny is due to risks identified by the shared risk assessment process and, instead, is due to national work that is planned or supported self assessment.
33. The Care Inspectorate is leading on a joint inspection of children's services at the request of Ministers. North Ayrshire and its partners are currently subject to a pilot joint inspection of children's services. This is due for completion in May 2013 and this, together with other pilot inspections, will help inform future methodology for these inspections. The findings from this will be reported to the council and its partners in 2013.
34. Audit Scotland will be carrying out a follow up of Scotland's public finances: addressing the challenges (published August 2011), to provide the Accounts Commission and the Auditor General for Scotland with evidence on the progress that public bodies are making in developing a strategic response to these long-term financial challenges. Audit Scotland will also be carrying out follow up work resulting from the workforce planning element of the Scotland's public finances report.
35. Subject to Ministerial approval, the Care Inspectorate, in partnership with the Association of Directors of Social Work (ADSW) and the Risk Management Authority (RMA), will undertake supported self-evaluation across the 32 local authority criminal justice social work services during the latter part of 2013. This will look at the impact of the Level of Service Case Management Inventory (LSCMI), otherwise known as the national assessment and care planning instrument. This particular approach is one of a number of approaches the Care Inspectorate will use in its current and future scrutiny and improvement work in this area.
36. In addition, as reported in the national risk priorities section of this report, a programme of national scrutiny work and joint inspections is being developed for the Care Inspectorate, Education Scotland, Healthcare Improvement Scotland, HMICS and SHR to carry out a thematic inspection in a sample of councils. We will notify you of these in due course.

Scrutiny plans

None of the planned scrutiny activity results from the shared risk assessment but is either at the request of the council e.g. supported self-evaluation work or national activity e.g. national follow-up work or work requested by Ministers.

North Ayrshire Council												
2013-14												
Scrutiny activity year 1	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
No local scrutiny work planned												
National or supported self-evaluation work year 1												
Audit Scotland: Follow-up of Audit Scotland national report "Scotland's Public Finances- addressing the challenges"		X										
Scotland's Public Finances: Workforce Planning (Audit Scotland)	X											
Joint inspection of children's services (currently underway)	X											
Supported Self Evaluation of the impact on quality of the newly introduced national assessment and care planning instrument (LSCMI) in local criminal justice social work services (to be confirmed- latter part of 2013)												

North Ayrshire Council												
2014-15												
Scrutiny activity year 2	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Mar
No local scrutiny work planned												
National or supported self-evaluation work year 2												
No national work planned												

North Ayrshire Council	
2014-15	
Indicative scrutiny activity for rolling third year	Potential scrutiny bodies involved
No local scrutiny work planned	

Footnotes:

The focus of the AIP Update is strategic scrutiny activity, that is scrutiny activity which is focused at corporate or whole service level, but there will also be baseline scrutiny activity at unit level on-going throughout the period of the AIP. This will include, for example, school and residential home inspections. Scrutiny bodies also reserve the right to make unannounced scrutiny visits. These will generally be made in relation to care services for vulnerable client groups. The annual audit of local government also comprises part of the baseline activity for all councils and this includes work necessary to complete the audit of housing benefit and council tax benefit arrangements. Education Scotland, through the District Inspector, will continue to support and challenge education services regularly and as appropriate. The Care Inspectorate will continue to regulate care services and inspect social work services in accordance with their responsibilities under the Public Services Reform (Scotland) Act 2010.

NORTH AYRSHIRE COUNCIL

Agenda Item 10

14 May 2013

Cabinet

Subject: **Reuse, Recycling and Recovery of Bulky Waste**

Purpose: To request approval from Cabinet to invite tenders for Reuse, Recycling and Recovery of Bulky Waste.

Recommendation: That Cabinet approves the commencement of a formal tender exercise.

1. Introduction

- 1.1 In order to comply with the Council's Standing Orders Relating to Contracts and the Public Contracts (Scotland) Regulations 2012 (SSI 2012.88) (as amended), a formal tendering exercise must be undertaken for the Reuse, Recycling and Recovery of Bulky Waste.

2. Current Position

- 2.1 The Council has a Recycling of Bulky Waste contract with Lowmac Alloys Ltd. This contract is due to expire on 30 September 2013 with a new contract due to be in place with effect from 1 October 2013.
- 2.2 The annual value of the contract is approximately £485,000.
- 2.2 The Council's Waste Strategy 2012 – 2016, which was approved by the former Executive on 10 April 2012, contained actions to improve the reuse of bulky materials through the establishment of improved partnership working with the 3rd Sector. The implementation of this Contract will enable deliver this action.
- 2.3 A contract must be tendered and awarded in sufficient time to allow transition to a new service provider, if appropriate.

3. Proposals

- 3.1 It is proposed that the requirement is advertised in the Official Journal European Union (OJEU) on the basis of a five year contract with the option to extend for a further two years.
- 3.2 Cabinet is invited to approve the tendering of the requirement as detailed in the report.

4. Implications

Financial Implications

- 4.1 The estimated annual cost is £485,000 which equates to £3,395,000 over the proposed maximum seven year duration of the contract. This is above the EU Public Procurement threshold for services, which is £173,934. The annual costs will be accommodated within the General Services Revenue budget.

Human Resource Implications

- 4.2 None.

Legal Implications

- 4.3 None.

Equality Implications

- 4.4 Equality implications will be considered as part of the procurement process.

Environmental Implications

- 4.5 The proposals will have a positive impact upon the environment in three ways:
- reduction in the amount of waste disposed of at landfill;
 - increase in reuse, recycling and recovery of materials reducing the impact on the environment; and
 - reducing the need to access virgin materials.

Implications for Key Priorities

- 4.6 This contributes to the Council Plan Core Objective 4 “operating more efficiently and effectively”. The implementation of the Contract will contribute towards the achievement of the following SOA objectives:
- 12a. our environment is protected and enhanced;
 - 14a. recycling of waste has increased and the amount of waste going to landfill has decreased;
 - 14b. the Public Sector's carbon footprint has reduced;
 - 15a. public perceptions of public services have improved;
 - 15b. public services are more efficient and effective; and
 - 15c. partnership working has improved.

Community Benefits Implications

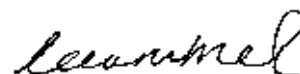
- 4.7 Community benefit clauses such as the creation of apprenticeships and/or jobs for the long term unemployed will be considered when developing the Contract Strategy. The involvement of social enterprises will also be considered

5. Consultations

- 5.1 A working group consisting of officers from the appropriate Council services and representatives from Zero Waste Scotland will develop the Contract strategy and specification.

6. Conclusion

- 6.1 Cabinet is requested to authorise the commencement of a tendering exercise to put in place a contract for the reuse, recycling and recovery of bulky waste.



LAURA FRIEL

Corporate Director (Finance and Corporate Support)

Reference : NAC/3002

For further information please contact Chris Garbutt, Category Manager, Corporate Procurement Unit on telephone number 01294 324541

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 11

14 May 2013

Cabinet

Subject: **Measured Term Contract 2013-16 - Gas soundness and repairs including boiler servicing**

Purpose: To seek Cabinet approval to invite tenders for the procurement of a gas soundness and repairs contract including boiler servicing, testing and repairs.

Recommendation: That the Cabinet approves the tendering of this requirement as detailed in the report.

1. Introduction

- 1.1 Property Management and Investment manage a range of specialist Measured Term Contracts relevant to the Council's operational properties. This includes statutory testing and servicing, which enables the Council to comply with its statutory obligations including compliance with health and safety legislation.

2. Current Position

- 2.1 One such requirement is in respect of Gas soundness and repairs including boiler servicing, testing and repairs, which is a statutory requirement for all of the Council's operational properties.
- 2.2 The current contract expires on 31 March 2014 with no further option available to extend.
- 2.3 There is currently no provision for these services through Scotland Excel.
- 2.4 The annual value of the contract is expected to be approximately £150,000.

3. Proposals

- 3.1 It is proposed that that contract is advertised in the Official Journal of the European Union (OJEU) as an open tender on the basis of a three year contract with the option to extend for a further two years.
- 3.2 Cabinet is invited to approve the tendering of the contract as detailed in this report.

4. Implications

Financial Implications

- 4.1 The contract costs will be financed from the Council's Corporate Property Management revenue budget.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 None

Equality Implications

- 4.4 None

Environmental Implications

- 4.5 None

Implications for Key Priorities

- 4.6 This contributes to the Council Plan Core Objective 4 'operating more efficiently and effectively.'

Community Benefit Implications

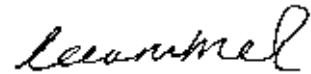
- 4.7 Community Benefits were considered but deemed not to be cost effective as the contract value is £150,000 per annum. Community Benefit clauses are more effective for contracts with a value of £1m and above.

5. Consultations

- 5.1 Consultation has taken place between the Corporate Procurement Unit and Property Management and Investment.

6. Conclusion

- 6.1 Cabinet is requested to authorise the commencement of a tendering exercise to put in place a measured term contract for Gas Soundness and repairs including boiler servicing, testing and repairs.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference : TR

For further information please contact Thomas Reaney, Procurement Manager on telephone number 01294 324097

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 12

14 May 2013

Cabinet

Subject: **Measured Term Contract 2013-16 : Water Quality Management Service**

Purpose: To seek cabinet approval to invite tenders for the procurement of a water quality management service.

Recommendation: That the Cabinet approves the tendering of this requirement as detailed in this report.

1. Introduction

- 1.1 Property Management and Investment manage a range of specialist Measured Term Contracts relevant to the Council's operational properties. These include statutory testing which enables the Council to comply with its statutory obligations including compliance with health and safety legislation.

2. Current Position

- 2.1 One such requirement is in respect of a water quality management service, which is a statutory requirement for all of the Council's operational properties.
- 2.2 The current contract expires on 31 March 2014 with no further options to extend.
- 2.3 There is currently no facility for provision of these services through Scotland Excel.
- 2.4 The annual value of the contract is approximately £100,000.

3. Proposals

- 3.1 It is proposed that the contract is advertised in the Official Journal of the European Union (OJEU) as an open tender for a period of three years with the option to extend for a further two years.
- 3.2 Cabinet is invited to approve the tendering of this contract as detailed in the report.

4. Implications

Financial Implications

- 4.1 The contract costs will be financed from the Council's Corporate Property Management revenue budget.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 None

Equality Implications

- 4.4 None

Environmental Implications

- 4.5 None

Implications for Key Priorities

- 4.6 This contributes the the Council Plan's Core Objective 4 ' operating more efficiently and effectively.'

Community Benefit Implications

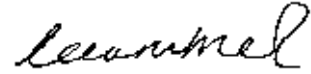
- 4.7 Community Benefit clauses were considered but deemed not to be cost effective as the contract value is £100,000 per annum. Community Benefit clauses are more effective for contracts with a value of £1m and above.

5. Consultations

- 5.1 Consultation has taken place between the Corporate Procurement Unit and Property Management and Investment.

6. Conclusion

- 6.1 Cabinet is requested to authorise the commencement of a tendering exercise for water quality management services.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference : TR

For further information please contact Thomas Reaney, Procurement Manager on telephone number 01294 324097

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 13

14 May 2013

Cabinet

Subject: **Measured Term Contract 2013-16 : Fire alarms and emergency lighting**

Purpose: To seek Cabinet approval to invite tenders for the procurement of a measured term contract for Fire alarms and emergency lighting.

Recommendation: That the Cabinet approves the tendering of this requirement as detailed in the report.

1. Introduction

- 1.1 Property Management and Investment manage a range of specialist Measured Term Contracts and Framework Agreements relevant to the Council's operational properties. These include statutory testing and maintenance, which enables the Council to comply with its statutory obligations including compliance with health and safety legislation.

2. Current Position

- 2.1 One such requirement is in respect of fire alarms and emergency lighting, which is a statutory requirement for all of the Council's operational properties.
- 2.2 The current contract expires on 31 March 2014 with no further option to extend.
- 2.3 There is currently no facility for the provision of these services through Scotland Excel.
- 2.4 The annual value of the contract is approximately £136,000.

3. Proposals

- 3.1 It is proposed that the contract is advertised in the Official Journal European Union (OJEU) using the restricted process on the basis of a three year contract with the option to extend for a further two years.
- 3.2 Cabinet is invited to approve the tendering of the contract as detailed in this report.

4. Implications

Financial Implications

- 4.1 The contract costs will be financed from the Council's Corporate Property Management revenue budget.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 None

Equality Implications

- 4.4 None

Environmental Implications

- 4.5 None

Implications for Key Priorities

- 4.6 This contributes to the Council Plan Core Objective 4 'operating more efficiently and effectively.'

Community Benefit Implications

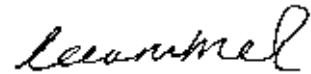
- 4.7 Community benefits were considered but deemed not to be cost effective as the contract value is £136,000 per annum. Community benefit clauses are more effective for contracts with a value of £1m and above.

5. Consultations

- 5.1 Consultation has taken place between Corporate Procurement and Property Management and Investment.

6. Conclusion

- 6.1 Cabinet is requested to authorise the commencement of a tendering exercise to put in place a measured term contract for Fire alarms and emergency lighting.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference : TR

For further information please contact Thomas Reaney, Procurement Manager on telephone number 01294 324097.

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 14

14 May 2013

Cabinet

Subject: **Montrose House Replacement**

Purpose: To provide Cabinet with an update on progress on the replacement of Montrose House care home.

Recommendation: That the Cabinet agrees to (a) note the additional costs of the Montrose House replacement; (b) approve additional capital funding of £0.850m for the project; and (c) approve the award of the construction contract to South West Scotland HubCo.

1. Introduction

- 1.1 The replacement of Montrose House on Arran was originally agreed and included as part of the capital programme in 2010/11. Work was then undertaken to acquire a suitable site in Glencloy and develop detailed plans for the new facility; the current budget available for the project, including the cost of purchasing the new site, is £4.687m.

2. Current Position

- 2.1 The suitability of a residential care home is the measure of the extent to which the building and its grounds are appropriate in providing an environment which supports a good quality of life. It should also support other services provided to individual clients and to the island community, in terms of practicality, accessibility and convenience:
- A design that will inspire all who use it day to day and will make a positive statement to the community;
 - Building design, fabric, materials, systems and services that are consistent with the architectural style of modern, good quality care facilities from both the public and private sectors;
 - Furniture and fittings that provide a safe, comfortable and welcoming environment and encourage and enable all residents to use the facility;
 - A design and use of materials consistent with the Council's policies on environment and sustainability contained within the Local Plan;
 - Facilities that are sufficiently flexible in their development and programmed usage to address future care home policy trends and be customer responsive; and

- Provision of facilities to meet the requirements of the following user groups – centre staff, frail & elderly patients, people with dementia, daycare patients, Social Services staff, visiting services; and the wider community
- 2.2 The new Montrose House has been designed, so far as is reasonably possible, to minimise the impact to the environment. Sustainable development and environmental good practice have been considered in the following aspects of the design and operation of the facility:
- Building orientation
 - High levels of insulation
 - Energy efficient fixtures and fittings
 - Energy efficient building services
 - Contribution to minimising ozone depletion, global warming, air and water pollution and non-renewable resource depletion
 - The use where possible of natural resources such as daylight and passive solar energy
- 2.3 The design of the building will properly address the issues of environmental sustainability. The performance of the building will be assessed and monitored by utilising criteria based upon the Building Research Establishment Environmental Assessment Method (BREEAM). It is anticipated that the replacement Montrose House will achieve the equivalent of a “very good” BREEAM rating.
- 2.4 Requirements of the Care Inspectorate: The National Care Standards refer to a number of aspects of the registered services. The design has been developed to address those most likely to affect the layout as listed below:

Standard 4 - Environment

Your environment will enhance your quality of life and be a pleasant place to live.

Standard 8 – Making Choices

“Ability to make choices in all aspects of life.”

Standard 12 – Lifestyle – Social, cultural and religious belief or faith

“Social, cultural and religious belief or faith are known and respected. Ability to live life in keeping with these beliefs.”

Standard 13 – Eating Well

“Meals are varied and nutritious. They reflect food preferences and any special dietary needs. They are well prepared and cooked and attractively presented.”

Standard 14 – Healthcare

“Confidence that the staff know your healthcare needs and arrange to meet them in a way that suits best.”

Standard 15 – Medication

“If there is a need to take medication, staff know this and there are arrangements in place to take medication safely and in the way that suits best.”

Standard 16 – Private Life

“You have the right to a private life.”

Standard 18 – Staying in Touch

“Help to use services, aids and equipment for communication if first language is not English or if there are any other communication needs.”

- 2.5 A large number of residents, users and key stakeholders interested in the project were consulted from an early stage; their comments were documented and, where practicable, incorporated into the design. This comprehensive piece of work was undertaken to ensure that the proposals were successfully delivered and received by the wider community.
- 2.6 The project also seeks to deliver a community building that is fit for purpose for all. To enable this to happen, it is important to actively pursue the views of all stakeholders who have an involvement in the project, from the general public to elected members. Effective communications has been developed and maintained throughout the design process using a number of channels including:
- Public displays and consultation
 - Residents and stakeholder meetings
 - User group sessions
 - Talks/ presentations
 - Newsletters
 - Team briefing sessions
- 2.7 A project board, sponsored by the Head of Community Care and Housing, is in place to oversee the development of the new care home. The new 30 bed facility has been designed by the Council's Property Management and Investment team, with the detailed drawings and project costs prepared by external architects and quantity surveyors.
- 2.8 The design brief reflects the core objective to create a facility that will accommodate the present and future needs of staff and residents and be an asset to the local community.

2.9 The design team developed proposals designed to achieve the optimum balance of initial capital expenditure, whole-life cost and quality. The design team also considered the implications of each of the following criteria when specifying materials, building elements, construction methods and building systems:

- **Maintenance / Durability**

Specified materials / finishes are appropriately durable for their location within the proposals, while balancing their aesthetic appeal.

- **Utilities / Running Costs**

The building structure, fabric and layout has been designed in such a way that the requirement for utilities will be reduced. Energy and water consumption is a key consideration in the specification of the building.

- **Flexibility / future alterations**

By taking early cognisance of the needs of the users, through consultation and research, it is possible to reduce the requirement for changes at a later date. By adopting a construction method and layout that is flexible, future alterations can be made more easily.

- **Disposal**

The future demolition/ disposal of the building will be considered when specifying the building structure and fabric. The Design Team has adopted a responsible approach to the use of hazardous materials and construction methods that may affect any future demolition. The possible future reuse or recycling of building materials has been taken into account when specifying individual elements.

2.10 An initial cost estimate (based on a sketch plan and using industry standard cost indices) was prepared by the Council's in-house Quantity Surveyors to give a basis for the initial capital bid in February 2012. This figure was "sense checked" and verified by two external consulting surveyors.

2.11 The estimated construction cost of the new care home was updated by the external quantity surveyors in February 2013. This followed finalisation of the detailed specification of the new building and landscaping and recognised the desire to incorporate sustainable energy measures and use construction materials that are in keeping with the Council's approved local plan for Arran, as well as addressing Care Inspectorate standards.

- 2.12 Generally, the specification of this facility is higher than original benchmark for a Care Home. The external quantity surveyor's updated construction cost in February 2013, recognising these factors, was £4.799m which, when added to the cost of land acquisition, fees and furniture etc resulted in a revised total project cost of £5.928m compared to the total budget of £4.687m, i.e. a shortfall of £1.241m.
- 2.13 Cabinet approved the Council's participation in the South West Territory Hubco at its meeting on 2 October 2012. Hubco is a procurement vehicle supporting a long term programme of investment in community infrastructure for local authorities, NHS Boards and other public sector bodies across Scotland. Its purpose is to provide a mechanism for delivering assets more effectively through a single partner, with continuous improvement leading to better value for money.
- 2.14 The Cabinet meeting was advised that Montrose House had been identified as a potential project to be undertaken by Hubco, with enabling funding of £0.082m provided by the Scottish Futures Trust to support the project's delivery through this route.
- 2.15 The design of Montrose House was developed to RIBA stage H (i.e. ready for full tender) and passed to Hubco for their consideration as a new project in December 2012. Following review, Hubco responded to the Council in February 2013 to advise that their estimated construction costs for undertaking the project was £4.965m, less enabling funding from SFT of £0.082m, i.e. £4.883m. This estimate was therefore comparable to the elemental cost check prepared by the council's appointed quantity surveyors during the same month.
- 2.16 Following receipt of both sets of updated costs a fundamental review of the scope and specification of the building was undertaken to identify options to reduce costs, whilst maintaining the design integrity of the facility and recognising Care Inspectorate standards and policies within the Local Plan .
- 2.17 Separately, HubCo carried out full market testing on all elements of its cost estimates and achieved a 94% return, with three quotes for 72% of the works/ materials specified; this information was shared with council officers to provide reassurance on their value for money.
- 2.18 As a result of the value engineering process undertaken, the estimated construction cost has now reduced to £4.404m, giving a total project cost of £5.537m; this estimate exceeds the current budget available by £0.850m.

2.19 The following options have been considered to address the funding position:

- Reduce the construction specification - The initial specification has already been reviewed to remove some non-essential items and reduce the specification of some of the materials used without compromising on the overall standard of the care home. Other available options include:
 - ❑ the replacement of some aspects of the planned sustainable energy systems with traditional energy solutions – although this would save an initial capital outlay of approximately £0.065m, anticipated annual revenue savings in respect of electricity and water charges would be forgone;
 - ❑ substitution of natural slate with imitation slate to save approximately £0.083m – the Local Plan for Arran supports the use of natural slate for roofing; any reduction in specification would therefore compromise this standard;
 - ❑ reduction in landscaping – some adjustments have already been made to the proposed paving surfaces and initial scale of planting. It is important to recognise that the new facility will be the permanent home of its residents and the quality of their lives will be directly influenced by the quality of their external living environment.
- Use of less robust materials for some areas of the building, delivering a savings of £0.080m, resulting in higher future maintenance cost;
- Approval of additional funding for the project – the 2013/14 capital plan currently has uncommitted funding of £0.613m which could be used to assist with this project. The remaining funding required of £0.237m can be met from the Council's Capital Fund;
- Issue an OJEU tender for the construction of the new care home to test the external market – Hubco invited tenders from six companies for this project, four of which are on Hubco's Tier 1 framework and the remaining two are local businesses. The value for money offered by Hubco has been scrutinised through market testing of their pricing schedules and benchmarking work undertaken by the Council's external technical advisors. A tender exercise at this stage would result in approximately six months' delay to the completion of the new care home, with no assurance that the resultant tender price would be less than that currently proposed by Hubco.

3. Proposals

- 3.1 It is proposed that Cabinet (a) notes the additional costs of the Montrose House replacement; (b) approves additional capital funding of £0.850m for the project; and (c) approves the award of the construction contract to South West Scotland HubCo.

4. Implications

Financial Implications

- 4.1 The additional capital cost of £0.850m can be accommodated from £0.613m uncommitted funding within the 2013/14 capital programme and £0.237m from the Council's Capital Fund.

Human Resource Implications

- 4.2 There are no direct human resource implications arising from this report.

Legal Implications

- 4.3 The Council is a member of the South West Scotland HubCo which is a vehicle through which the Council can procure capital projects. The South West Scotland Hubco used the Official Journal European Union (OJEU) competitive dialogue process to appoint its private sector partners.
- 4.4 Letting of the contract through South West Scotland HubCo complies with all procurement requirements. This also remains Best Value for the Council, in terms of the robustness of their tendering process, their financial contribution to the project and the speed of delivery compared to open-market tendering.

Equality Implications

- 4.5 There are no direct equality implications arising from this report.

Environmental Implications

- 4.6 The design of the building will properly address the issues of environmental sustainability. The performance of the building will be assessed and monitored by utilising criteria based upon the Building Research Establishment Environmental Assessment Method (BREEAM). It is anticipated that the replacement Montrose House will achieve the equivalent of a "very good" BREEAM rating.

Implications for Key Priorities

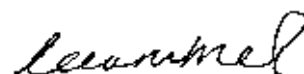
- 4.7 The provision of a replacement care home for older people on Arran will support Single Outcome Agreement 6d ("More vulnerable people are supported within their own communities") and 15b ("Public services are more efficient and effective").

5. Consultations

- 5.1 Extensive consultation has been undertaken with residents, users and other key stakeholders during the design of the new facility. Effective communications have been developed and maintained throughout the design process.

6. Conclusion

- 6.1 Approval of additional project funding of £0.850m and award of the construction works to South West Hubco will facilitate the delivery of a high-standard, replacement Montrose House Care Home on Arran late in 2014.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Yvonne Baulk, Head of Finance & Property on telephone number 01294 324542.

Background Papers

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NORTH AYRSHIRE COUNCIL

Agenda Item 15

14 May 2013

Cabinet

Subject: **Housing Revenue Account Business Plan
Implementation Group: Minutes of meeting held
on 26 February 2013**

Purpose: To submit the minutes of the meeting of the Housing Revenue Account Business Plan Implementation Group held on 26 February 2013.

Recommendation: That the Cabinet notes the Minutes attached at Appendix 1.

1. Introduction

- 1.1 A Housing Revenue Account Business Plan Implementation Group was set up in 2010, with the first meeting of that Group being held in June that year.
- 1.2 The Group consists of Elected Members, tenant representatives, staff from Social Services and Health and Finance and Corporate Services.
- 1.3 The remit of the Housing Revenue Account (HRA) Business Plan Implementation Group is:
 - To make recommendations to the Council's Cabinet and other bodies as appropriate;
 - To carry out an annual review and report progress on the Business Plan;
 - To assume responsibility for performance monitoring and reporting;
 - To advise and provide recommendation on the setting and use of budgets and resources;
 - To ensure the appropriate consultation is undertaken at key stages, and;
 - To agree and drive forward any key activities within the final work plan.

2. Current Position

- 2.1 The minutes of the meeting of the HRA Business Plan Implementation Group held on 26 February 2013 are attached at Appendix 1.

3. Proposals

- 3.1 It is proposed that the Cabinet notes the Minutes attached at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no implications arising from this report.

Human Resource Implications

- 4.2 There are no implications arising from this report.

Legal Implications

- 4.3 There are no implications arising from this report.

Equality Implications

- 4.4 There are no implications arising from this report.

Environmental Implications

- 4.5 There are no implications arising from this report.

Implications for Key Priorities

- 4.6 There are no implications arising from this report.

Community Benefit Implications

- 4.7 There are no implications arising from this report.

5. Consultations

- 5.1 None required.

6. Conclusion

6.1 The attached minutes are submitted for information.

A handwritten signature in purple ink, appearing to read 'Iona Colvin', is positioned above the printed name.

IONA COLVIN

Corporate Director (Social Services and Health)

Reference :

For further information please contact Olga Clayton, Head of Community Care and Housing on telephone number 01294 324626

Background Papers

None

	<p>rather than specifically for allocation to the hostel. Cllr Hunter asked about the options for the change to the Hostel grant. OC advised that COSLA had consulted on this point as this was initially to be removed in the first year; however, a phased reduction has been confirmed.</p>		
4. Rent Consultation Reponses	<p>Marianne McManus (MM) referred the group to the Housing Rent Consultation 2012/13 (Appendix 3).</p> <p>She advised that the response rate was very low: only 52 tenants responded. She confirmed that 61% of the responses received were in favour of the proposed 3.5% rent increase for the coming year. MM highlighted tenant dissatisfaction with the condition of kitchens and bathrooms and the 30 – 40 year lifecycle replacement periods.</p> <p>MM raised concern about the value for money of the consultation exercise, which is a legal obligation, and asked the group for any suggestions about how to increase the response rate.</p> <p>Alex Younger suggested that the consultation forms are taken to the Tenants and Residents Association meetings and they could return them on behalf of the tenants.</p> <p>Gordon Taylor suggested that the consultation process be carried out at the tenant's conference. OC advised that this could be difficult due to the timing of the budget.</p> <p>Tracey Wilson suggested sending out the consultation with the September issue of Tenancy Matters. Keith MacDonald advised that it would be advantageous for this process to be brought forward in the year</p> <p>Alex Adrain (AA) suggested that we make more of the opportunity when a tenant visits a local office and be more proactive in consulting with tenants</p> <p>Jason Walton suggested using text messaging to contact tenants. MM advised that this had been used before for rent arrears and was unsuccessful. Cate Weir highlighted that not everyone has a mobile.</p> <p>Gordon Taylor also highlighted the issue with younger people frequently changing their mobile number.</p> <p>OC confirmed that all of these suggestions will be given consideration next year.</p>		
5. Welfare Reform Update	<p>MM gave an update to the group on Welfare Reform (Appendix 4). Attention was also drawn to the</p>		

	<p>briefing paper on the Welfare Reform Act (Appendix 5). MM summarised the main changes coming into force on 1st April and the impact that this would have on the HRA income.</p> <p>MM also confirmed that a new Welfare Reform Team had been set up to mitigate the impact. She confirmed that all tenants affected by the reforms had been written to. So far 150 tenants have been visited; 109 will be given assistance to apply for a smaller house; 45 have been given budget advice; 9 have been given assistance in setting up a bank account; 22 have been given advice on payment methods; 14 have been given assistance in accessing Housing Benefit and 19 have been given access to other support services.</p> <p>Cllr Hunter asked about households affected by people serving in the armed forces, jail and couples unable to share a room due to health reasons. MM advised that a paper was due to be submitted to Cabinet regarding use of the discretionary housing payments. Additional funding from the Council has been added to the DWP allocation.</p> <p>Concern was raised about relying on the information provided to us by the tenants. MM advised that all households would be visited in an estimated 20 week period. MM also confirmed that the first households visited were those affected by the 25% reduction and those affected by the 14% reduction would be visited later.</p> <p>Gordon Taylor asked if any more staff would be recruited to deal with requests for mutual exchange. MM advised that there had not been a lot of requests for mutual exchange but assistance would be given.</p>		
6. Business Plan Review	<p>Alex Adrain (AA) gave the group a recap of the aims and objectives of the Council's Business Plan (Appendix 6) and expanded on these areas.</p> <p>AA also expanded on future planned activities for the business plan in particular, the review of commercial properties in HRA portfolio.</p> <p>Alex advised that there were many changes taking place that would affect the Business Plan:</p> <ul style="list-style-type: none"> • Right to Buy – Possible new Scottish Government legislation. • Council House Building – Grant award process changing. • Mortgage to Rent – after initial surge in interest applications had dropped off. <p>Cllr Clarkson asked AA if it was normal practice for</p>		

	<p>land to be bought for free. AA advised that for some historic projects, receipts were given for the land. However in all cases a district valuer provides the affordable housing valuation and in the last 3 or 4 developments the land has been transferred for zero value.</p> <p>Cllr Clarkson asked AA about the commercial properties previously mentioned. AA advised that no work had been carried out on this however, it was planned to take place in the near future</p> <p>Cllr Clarkson then raised the issue of Sheltered Unit costs – he was concerned that tenants were paying for services such as communal areas. OC confirmed that these areas were currently being paid for by the Social Services, however this would be reviewed by the Older Peoples Housing Team. AA confirmed that tenants in these properties pay less than the cost of their utilities.</p> <p>Cllr McMillan asked AA if the focus on new build Council Houses would now been on 1 bedroom houses. AA advised that 2 bedroom properties were still in demand and we have a policy decision from the previous Exec not to build any 1 bedroom properties; however this policy decision would be subject to a future Cabinet report. AA further advised that each development is looked at on a site by site basis and the mix is agreed based on waiting list demand etc.</p> <p>There was a general discussion regarding the priorities for revising the business plan. OC confirmed that for the next meeting it would be useful to have information on the renewal of term contracts and to discuss possible changes in investment priorities e.g. realign current level of external capital expenditure to increase kitchen and bathroom programmes. Different options/models to be prepared for the groups consideration</p>	DT AA DT KM CH	
7. Demand led Repairs & Maintenance	<p>David Welsh and Jason Walton from Impower gave a presentation on their company and their remit for reviewing demand led repairs.</p> <p>They confirmed that they wanted to work closely with the tenants groups and front line staff in order to collect data to understand the drivers for the current level and category of repairs.</p> <p>Tracey Wilson confirmed that the tenants groups would be happy to work with Impower. She queried their use of mystery shopping and it was confirmed that they would use existing results from Housing Services. MM also advised that the results from the</p>		

	<p>recent tenant's satisfaction survey results could be utilised.</p> <p>David Tate advised that repeat repairs were an issue which had to be addressed</p>		
9. A O C B	Outstanding Action – IC was due to provide figures for exemption properties meeting SHQS	IC	
10. Next Meeting	30 th April 2013		

NORTH AYRSHIRE COUNCIL

Agenda Item 16

14 May 2013

Cabinet

Subject: **South West Hub Territory Partnering Board**

Purpose: To submit the Minute of the Meeting of the South West Hub Territory Partnering Board held on 7 March 2013.

Recommendation: That the Cabinet agrees to note the Minute attached at Appendix 1.

1. Introduction

- 1.1 South West Hub is a vehicle through which the Council can procure its capital projects. Current Council projects which may be procured under this route include; Montrose House and the Garnock Campus. Proposals are being developed for the Three Towns School project.
- 1.2 The most recent meeting of the South West Hub Territory Partnering Board (TPB) was held on 7 March 2013.

2. Current Position

- 2.1 The main business of the meeting of the TPB of 7 March 2013 comprised:
 - A presentation from Scottish Futures Trust (SFT) on energy efficiency initiatives including street lighting, energy performance contracting and development work being undertaken on alternative approaches to delivering investment.
 - An update from SFT on the office rationalisation work being undertaken with South Ayrshire.
 - The participation of Police and Fire in Hubco.
 - The appointment of Michael McBrearty as Hub co's General Manager.
 - An update on the affordability review of Montrose House.
 - Progress report on current projects.
 - Initiatives being undertaken to develop the supply chain.
- 2.2 The Minute of the meeting is attached at Appendix 1.

3. Proposals

- 3.1 That the Cabinet agrees to note the Minute attached at Appendix 1.

4. Implications

Financial Implications

- 4.1 There are no financial implications

Human Resource Implications

- 4.2 There are no Human Resource implications.

Legal Implications

- 4.3 There are no legal implications.

Equality Implications

- 4.4 There are no equality implications.

Environmental Implications

- 4.5 There are no environmental implications.

Implications for Key Priorities

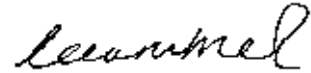
- 4.6 There are no implications.

5. Consultations

- 5.1 No consultations were required in the formation of this report.

6. Conclusion

6.1 The attached Minute is submitted for information.



LAURA FRIEL
Corporate Director (Finance and Corporate Support)

Reference :

For further information please contact Laura Friel, Corporate Director (Finance & Corporate Support) on telephone number 01294 324554.

Background Papers

None

Approved 25th April 2013

Minutes of Meeting of the Territory Partnering Board
Held on 7th March 2013 at 10am in Room 1, Eglinton House, Ailsa Hospital, Ayr,
KA6 6AB (NHS Ayrshire & Arran)

Attendees

Name	Organisation	Initials
Rhona Wells (Chair)	Dumfries & Galloway Council	RJW
Andy Barrett	South West hub	AB
Ian Bryden	NHS Dumfries & Galloway	IB
Audrey Christie	South West hub	AC
Derek Craig	South Lanarkshire Council	DC
Laura Friel	North Ayrshire Council	LF
James King	Scottish Futures Trust	JK
Bill Martin	South West hub	BM
Michael McBrearty	South West hub	MMcB
Robin McNaught	State Hospital for Scotland	RMcN
John Quinn	South West hub	JQ
Mary Anne Robb	North Lanarkshire Council	MAR
Arthur Watson	Irvine Bay Regeneration Company	AW
John Wright	NHS Ayrshire & Arran	JW

In Attendance

Name	Organisation	
Viv Cockburn	Scottish Futures Trust	VC
Alistair Kidd	East Ayrshire Council	AK
David Strang	South Ayrshire Council	DS

Apologies Received

Name	Organisation
David Browning	NHS Lanarkshire
Eileen Howat	South Ayrshire Council
Gillian Jewell	Scottish Court Services
Alex Lane	Strathclyde Fire & Rescue
Malcolm Roulston	East Ayrshire Council

1. Welcome & Introductions

Rhona Wells welcomed everyone to the meeting and noted apologies.

Viv Cockburn from Scottish Futures Trust (SFT) was in attendance to provide an update on energy efficiencies.

2. Energy Efficiency

Viv Cockburn gave a presentation to the Territory Partnering Board on Low Carbon and Energy Efficiencies.

SFT are currently focusing on three key areas; street lighting, energy performance contracting and approaches to delivering investment.

A pilot study was carried out in East and West Dumbartonshire. Street

lights were replaced with new LED lights. Analysis of the results showed that with the switch to new technology the local authority would make savings. Reports on antisocial behaviour also decreased and people felt safer on the streets at night time.

Street lighting typically accounts for 20-25% of a local authorities electricity consumption. Investment delivers c.60% decrease in electricity consumption which gives a 12%-15% saving.

A booklet has been prepared and is on the website. Audrey Christie will send a link to the booklet to TPB members. **AC**

Glasgow City Council and Health Services Scotland took part in a pilot of the GLA's approach to energy efficiency. The public sector building owner identifies a portfolio of buildings to retrofit, sets a target percentage energy savings and a payback period. An Energy Service Company (ESCO) carries out the work and guarantees the resulting energy savings. This guarantees the payback of the investment with the delivery risk transferred to the ESCO.

SFT are looking at delivery structures to improve the ease of investment which will lead to increased investment in low carbon and reduced energy demand which gives beneficial outcomes.

AB advised that Equitix can match fund projects. It was agreed that someone from Equitix should be invited to the next meeting to provide more information. **AC**

RJW thanked VC for attending and giving the presentation. A copy of the presentation and VC's contact details will be sent out to all TPB members. **AC**

3. Review of Last Meeting Notes – 31st January 2013

The minutes were approved as an accurate record of events.

4. Matters Arising from Last Meeting

Review of Last Meeting Notes – 20th December 2012
Amendments have been made to the minutes.

Programme Directors Report – Variation Agreement
All Participants have signed the Variation Agreement.

Programme Directors Report – Governance Issue
On behalf of the TPB Bill Martin sent a letter to the SWhub Board to advise of the governance issue. There has been no response from the SWhub Board.

5. Scottish Futures Trust Update

JK advised that the Asset Management Team are working closely with South Ayrshire Council to scope out the office rationalisation which has hub enabling funds attached to the project. BM and AB have a brief in relation to supply chain strategic studies work to be carried out. Audrey Greenwood met with the Asset Management Team to discuss Tarbolton and Daily.

6. SWhub / TPD Report

Highlights in Period

Strathclyde Police have now agreed to sign the TPA and SHA and Dumfries & Galloway fire and police have agreed to sign the TPA. Work is being undertaken by Shepherd & Wedderburn to prepare necessary documentation. Audrey Christie will then go round to each participant to get the documentation signed. This is very time critical as it needs to be signed off by 31st March 2013. AC to check with Shepherd & Wedderburn if only Strathclyde Police and Dumfries & Galloway Police and Fire need to sign the documents before 31st March 2013 or if it has to be all the participants.

AC

Training is being arranged for Buzzsaw. This will be rolled out as projects come on. Audrey Christie will be the Buzzsaw Administrator. A presentation will be given at a future meeting to provide an overview of Buzzsaw.

The Stage 1 submission for NHS Lanarkshire was successfully submitted on time on 15th February 2013.

Michael McBrearty joined Hub SW on Monday 4th March 2013 as the permanent General Manager.

The Stage 1/2 submission for Dalbeattie and Dunscore was submitted on 28th February 2013.

An affordability review is being undertaken for Montrose House however but Kier have been appointed preferred contractor in event that the scheme progresses.

Key Performance Indicators

Hub passed the three month management systems audit. Audrey Christie will be the administrator for the IMS.

Hub will be making contact with Community Planning Partnerships but will link in with TPB members. This is in relation to the customer satisfaction feedback KPI.

Programme Update

The first strategic support for Annbank has been completed.

The new project request (NPR) for Ardrossan Medical Centre was received.

Financial close for Dalbeattie and Dunscore Health Centres is due on 9th May.

Hub are working closely with North Ayrshire Council to ensure agreement on the affordability cap for Montrose House. This should be concluded by the end of the week.

Supply Chain

Hub are working on expanding the supply chain.

AC

A Meet the Buyer event is being organised for 21st March 2013. This is project specific for the NHS Lanarkshire projects. The Supplier Development Programme will be invited to attend the event.

An advert for the Supply Chain Development Manager has been posted on the SWhub website and LinkedIn. The closing date for the post is 27th March.

Audrey Christie is currently picking up the workload of the Supply Chain Assistant. An application is being drafted for funding for the Skills Co-ordinator.

Participant Involvement

The Territory are working closely to ensure that hub are following process. A diagram was produced to highlight when participants can link into the new project development process. BM advised that he would be advised of any changes to the IMS and he would then highlight these changes to the TPB.

7. AOCB

Guidance Note – Creation of the Project Brief and the Authority Construction Requirements

A flowchart to promote early engagement with hubCo to encourage collaboration and to provide prompts for defining briefing and ACR production responsibilities has been created. It was tabled for information.

Core Costs

Hubco will provide the Territory Programme Director with a breakdown of hubco core costs on a monthly basis. **MMcB**

Future Meetings

It was agreed that TPB members would like to have a Participants Forum before the TPB meetings. Therefore, the Participants Forum will now take place prior to the TPB meetings from 10am to 10.30am and the TPB meetings will now start at 10.30am. Audrey Christie will confirm these arrangements.

8. Date and Time of Next Meeting

The next meeting of the Territory Partnering Board will take place on 25th April 2013 at 10.30am in the Committee Meeting Room, South Lanarkshire Council Headquarters, Almada Street, Hamilton, ML3 0AA (South Lanarkshire Council).