

Cabinet
23 September 2014

Irvine, 23 September 2014 - At a Meeting of Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, Marie Burns, John Bruce, Anthea Dickson, Tony Gurney and Ruth Maguire.

Also Present

Alex Gallagher, Tom Marshall and Donald Reid.

In Attendance

E. Murray, Chief Executive; L. Friel, Executive Director, G. Macgregor, Head of Human Resources and Organisational Development, L. Aird, Interim Head of Finance, M. Hogg, Senior Manager (Finance and Corporate Support); C. Hatton, Executive Director, A. Adrain, Divisional Manager (Housing) and H. McGhee, Team Manager Public Health/Pollution (Place); K. Yeomans, Executive Director and A. Sutton, Head of Connected Communities; (Economy and Communities); J. Butcher, Executive Director and S. Quinn, Head of Service (Education and Youth Employment); Colvin, Director (North Ayrshire Health and Social Care Partnership), A. Fraser, Head of Service (Democratic and Administration), L. McEwan, Communications Officer and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Alan Hill.

1. Declarations of Interest

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

2. Minutes

The Minutes of the meeting held on 16 July 2014 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Revenue Budget 2014/15 : Budgetary Control Statement to 31 July 2014

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) set out the Revenue budgetary control position for the Council at 31 July 2014; and (b) provided a brief explanation of Services' major variances at Appendices 1 - 9.

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

- the projected overspend in Care Homes as a result of a number of factors, including the reduction by half of discharges from Care Homes and the projections being based on previous years' statistics;
- an audit of the ICT estates in schools that found further replacement ICT equipment was needed and requiring an additional £100,000 to meet the costs of the overall plan

The Cabinet agreed to (a) note the information and financial projections outlined in the report; (b) note the action being taken by the Health and Social Care Partnership to reduce the current projected overspend; and (c) approve the virements detailed in Appendix 10.

4. Capital Monitoring to 31 July 2014

Submitted report by the Executive Director (Finance and Corporate Support) on progress in delivering the Capital Investment Programme as at 31 July 2014.

The report provided information on the progress of all projects, with explanations for the carry forwards detailed in Appendix 1. Appendix 2 to the report provided information on the programme for the Housing Revenue Account.

Members were advised that there would be no delay to the social housing development project at the site of the Fencedyke Primary School, Irvine as a result of the fire at the school.

The Cabinet agreed to (a) approve the revisions to budgets outlined at Sections 2.1 and 2.6 of the report; and (b) note (i) the actual General Services and HRA expenditure to 31 July 2014 and (ii) the forecast of expenditure to 31 March 2015.

5. Council House Building Protocol

Submitted report by the Executive Director (Place) on a new protocol to be used in Council Housing Building projects where the project is classed as permitted development.

The report outlined the new protocol that is based on an inclusive and consultative approach to Housing Services' development programme and will include:-

- the establishment of a Corporate Housing Project Group, comprising representatives from Housing Services, Planning, Roads, PMI's Major Projects team, Estates and Finance, with other council services included where appropriate; to identify aspirations for the project and create a 'Project Mandate';
- public consultation events that will take place during the design stage of the project;
- consideration of consultation feedback on the final site layout by design team meetings

The Cabinet agreed to approve the proposed protocol for all future Housing Services development projects which are classed as permitted development.

6. Hunterston B Power Station - Response to consultation by SEPA on EDF Energy's application under the Radioactive Substances Act 1993

Submitted report by the Executive Director (Place) on the proposed response to the consultation by the Scottish Environment Protection Agency (SEPA) on an application from EDF Energy to vary the terms of their Certificate of Authorisation for the disposal of radioactive waste at Hunterston B nuclear power station.

The report provided information in relation to the range of disposable waste, examples of waste that cannot be disposed of at all or within reasonable timescales, background to the application, the proposed changes to the authorisation, the Scottish Government Policy on the Disposal of Radioactive Waste and details of the Council's proposed response to the consultation.

The Cabinet agreed to use paragraphs 3.1 and 3.2 of the report as the basis of a response to the consultation.

7. Statutory Public Consultation on Proposed Development of Education and Sports Provision in Largs

Submitted report by the Executive Director (Education and Youth Employment) on the proposed development of an Education and Sports provision in Largs.

An early pre-consultation engagement plan was developed (Appendix 1) and an exercise undertaken with a wide range of interested parties to help inform and influence the proposal. Two key questions were asked of stakeholders and a summary of responses was attached at Appendix 2. The views of all involved stakeholders have been carefully considered and the Proposal Document (Appendix 3) has been developed taking this valuable information into account.

It is now proposed to undertake a Statutory Public Consultation to create a new 2-18 years campus, situated on the Inverclyde Sports Centre site, comprising of:

- the relocation of Largs Academy;
- a new primary school, arising from the proposed amalgamation of Brisbane Primary School and Kelburn Primary School;
- the relocation of St Mary's Primary School; and
- a new Early Years' Centre.

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

- the Statutory Public Consultation exercise that would include a series of formal public meetings; and
- methods to allow the community to share their opinion on the proposal.

The Cabinet agreed to (a) note the outcome of the pre-consultation stakeholder engagement exercise; (b) the commencement of a Statutory Public Consultation, from 1 October 2014, on the proposal to create a new 2-18 years campus, located on the Inverclyde Sports Centre site comprising of:

- the relocation of Largs Academy;
- a new primary school, arising from the proposed amalgamation of Brisbane Primary School and Kelburn Primary School;
- the relocation of St Mary's Primary School; and
- a new Early Years' Centre.

(c) issue the Proposal Document attached at Appendix 3; (d) invite all interested parties to make written representations on the proposal to the Executive Director (Education and Youth Employment) no later than 21 November 2014; (e) receive a report on the responses to the consultative process at a future meeting; (f) note the options for meeting the estimated capital and revenue funding gaps as outlined at 4.1 and seek Council approval for the preferred option when setting the budget in December 2014; and (g) note the continued discussions with **sportscotland** to identify and confirm opportunities through partnership working and to secure appropriate land for development.

8. Gaelic Medium Education Bill Consultation

Submitted report by the Executive Director (Economy and Communities) on the response to the Scottish Government's Consultation on the proposed Gaelic Medium Education Bill.

On 2 July the Scottish Government launched a consultation paper on Gaelic medium education (GME). Views are invited on Gaelic medium education in general and specifically on the proposal to introduce legislation to the Scottish Parliament aimed at expanding and improving access to Gaelic medium education in Scotland.

Appendix 1 to the report outlined the proposed response to the consultation which welcomes the GME Bill's focus on Gaelic language development in the early years.

That Cabinet agreed to (a) note the key proposals from the Scottish Government's consultation; (b) note the current position in North Ayrshire; and (c) approve the proposed response from the Council to the questions posed in the paper as detailed in Appendix 1.

9. Maximising Attendance Performance - June 2014 (Quarter 1 Summary)

Submitted report by the Executive Director (Finance and Corporate Support) on the analysis of sickness absence in Quarter 1 and the quarterly trend from April 2013.

Members asked questions and were provided with further information in relation to a range of services and interventions available to reduce absences as a result of stress and anxiety.

Noted.

10. Audit Scotland Report : Scotland's Public Finances : Progress in Meeting the Challenges (follow up audit)

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Audit Scotland's follow up audit report 'Scotland's Public Finances: Progress in Meeting the Challenges'.

The main issues from the report were attached at Appendix 1 and included an outline of the current financial position and indicative spending levels in 15/16 and a report on financial scrutiny and the progress public bodies are making in getting the most from budgets. Appendix 2 to the report detailed the action points and the relevant work that has been undertaken or is planned to be undertaken by North Ayrshire Council.

The report also provided further information in respect of the current financial position and indicative spending levels in 2015/16 and the importance of effective budgeting as a core component of good financial management to get the most from budgets. A checklist to support councillors seek evidence and subsequently gain assurance on their Council's approach to dealing with ongoing financial pressures was attached at Appendix 3.

The Cabinet agreed to note the findings of the recent Audit Scotland report, the current position in North Ayrshire and further actions being taken to address the issues within the report.

11. North Ayrshire Shadow Integration Board

Submitted report by the Director (North Ayrshire Health and Social Care Partnership) on business dealt with by the North Ayrshire Shadow Integration Board (SIB) during the period April 2014 to July 2014.

The report provided information on the membership of the SIB (Appendix 1) and the range of business conducted by the SIB (Appendix 2).

Noted.

12. Minutes of Physical Environment Advisory Panel of 30 June and 21 July 2014

Submitted report by the Executive Director (Place) on the minutes of the Physical Environment Advisory Panel held on 30 June and 21 July 2014.

Noted.

13. Exclusion of the Public and Press

The Cabinet resolved, in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following items of business on the grounds indicated in terms of Paragraphs 3 (Item 14.1 and 14.2) of Part 1 of Schedule 7A of the Act.

14.1 Social Work Complaints Review Committee: Complaint by Mr C.

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting of 15 August 2014.

The Cabinet agreed (a) to accept the Committee's recommendation (i) not uphold parts 1 and 3 of the complaint; (ii) to partially uphold part 2 of the complaint; and (iii) note that part 4 of the complaint had been resolved; (b) that Social Services and Health examine other facilities in the local area to deliver D.P.'s support programme; and (c) that records of the inclement weather hours be provided to the Social Worker and Mr C. on a regular basis.

14.2 Social Work Complaint Review Committee: Complaint by Mr C.

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting of 4 September 2014.

The Cabinet agreed (a) to accept the Committee's decision to uphold the complaint; (b) that Social Services and Health should remove the statement in the Integrated Assessment, as detailed at 2.8 in the report; and (c) that future meetings should be minuted and the minutes agreed with Mr C.

The meeting ended 3.30 p.m.