

Cabinet  
11 June 2019

**IRVINE, 11 June 2019** - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

**Present**

Joe Cullinane, John Bell, Robert Foster, Alex Gallagher and Jim Montgomerie; and Elizabeth Higton, Babs Mowat (Church Representatives) and Gordon Smith (Teaching Representative) (Agenda Items 1-4).

**Also Present**

Robert Barr, Tom Marshall, Jean McClung, Ronnie McNicol, Davina McTiernan and John Sweeney.

**In Attendance**

C. Hatton, Chief Executive; L. Friel, Executive Director, D. Forbes, Senior Manager - Strategic Business Partner, P. Doak, Senior Manager (Internal Audit and Corporate Fraud), J. Smillie, Senior Manager (Human Resources and Organisational Development), B. Quigley, Senior Manager (ICT), J. Walls, Team Manager (Health and Safety), F. Carlyle, Senior Advisor (Human Resources and Organisational Development)(Finance and Corporate Support); K. Yeomans, Executive Director, A. Sutton, Head of Service (Connected Communities), C. McAuley, Head of Service (Economic Growth), G. Robson, Senior Manager (Employability), L. Kirk, Manager (Regeneration) (Economy and Communities); C. Amos, Head of Service (Inclusion) and L. Taylor, Senior Manager (Education and Youth Employment); R. McCutcheon, Head of Service (Commercial), Y. Baulk, Head of Service (Physical Environment), D. Hammond, Senior Manager (Housing Strategy and Corporate Sustainability), C. Dempster, Senior Manager (Roads) (Place); and A. Fraser, Head of Democratic Services, J. Hutchison, Senior Communications Officer (Media and Internal Communications), L. Cameron, Policy Officer, N. Sugden, Policy and Performance Officer, M. Shields, Leader's Office Co-ordinator, and E. Gray and H. Clancy, Committee Services Officers (Chief Executive's Service).

**Also In Attendance**

D. Rodger, Petitioner (Agenda Item 3).

**Chair**

Joe Cullinane in the Chair.

**Apologies**

Louise McPhater.

**1. Declarations of Interest**

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

## **2. Minutes**

The accuracy of the Minutes of the meeting of the Cabinet held on 14 May 2019 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

## **3. Ardrossan Community Hub - Statutory Public Consultation**

### **3.1 Petition**

Submitted report by the Chief Executive on a Petition received, opposing the proposed closure of Auchenharvie Swimming Pool and Gym.

The Head of Democratic Services summarised the terms of the petition and the procedure for considering it in the context of a separate report on the proposed development of new Education and Community provision in Ardrossan

The principal petitioner, David Rodger, set out the background to, and reasons for, the campaign and the importance of keeping the swimming pool and gym in Stevenston. Mr Rodger advised the facility was where many people went not only to get fit, but to enjoy themselves and socialise and that many people in Stevenston could not afford to travel to the inaccessible area of Ardrossan where it was proposed the new community hub would be located.

Councillor John Sweeney also spoke on behalf of the campaign, outlining the pre-consultation process which was focused on Ardrossan, with 363 responses in total, 131 of which came from Ardrossan residents. Councillor Sweeney pointed out that one of the Three Towns Locality Partnership's priorities was to tackle social isolation and it was, therefore, relevant that many of those who used the pool did so to counter social isolation, while 40% of participants in the KA Leisure Mind and Be Active programme were from the Three Towns area.

The Cabinet agreed to note the petition and take into account the petitioners' presentation when considering the report by the Head of Service (Inclusion).

### **3.2 Proposed Development of new Education and Community Provision in Ardrossan**

**Please note - this item was heard by the Audit & Scrutiny Committee on Thursday 27 June 2019, please refer to the minute for the decision.**

Submitted report by the Head of Service (Inclusion) which provided information on the pre-consultation engagement activities undertaken so far, early public feedback in respect of the proposal and a petition in respect of the proposed relocation of leisure facilities. The school pre-consultation responses were set out at Appendix 1a and the wider community pre-consultation responses were set out at Appendix 1b to the report.

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

- the schools involved in the consultation; and
- the suitability of the Ardrossan site and the ongoing investigations.

The Cabinet agreed that (a) the principle of a multiple facility community campus at Ardrossan North Shore be further developed as the preferred solution to secure a much needed long-term replacement for Ardrossan Academy and Winton Primary School; (b) the relocation of Auchendarvie swimming pool to the proposed campus be subject to further community engagement during August to determine a definitive position for consideration at the September 2019 meeting of the Cabinet; (c) the consultation framework be co-produced with key stakeholders; and (d) subject to a clear indication of Scottish Government funding and completion of the formal business case for a community campus, statutory public consultation would commence in October 2019.

#### **4. Early Learning and Childcare Expansion Programme**

Submitted report by the Head of Service (Inclusion) on the progress of the Early Learning and Childcare Expansion (ELC) programme in North Ayrshire and the plans to move to implementation of the confirmed delivery and staffing models from August 2020.

Members asked a question and were provided with clarification that North Ayrshire Council would provide 1140 hours of early learning and childcare if any private providers were unable to offer this service.

The Cabinet agreed to (a) note the progress made by the Early Learning and Childcare Expansion Programme Board on the implementation of the ELC Expansion programme; and (b) approve the changes made to the delivery and staffing models.

#### **5. North Ayrshire Local Child Poverty Action Plan Report 2018/19**

Submitted report by the Chief Executive on the Local Child Poverty Action Plan 2018/19. The draft North Ayrshire Local Child Poverty Action Plan Report 2018/19 was set out at Appendix 1 to the report.

Members asked a question and were provided with further information in relation to the improvement in the Kilwinning area.

The Cabinet agreed (a) to approve the draft Local Child Poverty Action Plan; and (b) that the report be submitted to the Scottish Government and published on the Community Planning Partnership website.

## **6. Performance End of year 2018/19 Council Plan/Directorate Plan**

Submitted report by Chief Executive on the end of year 2017/18 Council Plan/Directorate plan performance reports. The Council Plan status summary was set out at Appendix 1, detailed explanations for those measures adrift of target were provided at Appendix 2 and the Directorate performance reports set out at Appendices 3-8 of the report.

Members were advised of a correction to the figures in section 2.12 of the report, which should have read 57% of short-term indicators had improved and 43% of long-term indicators.

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

- the new directorate plan template which would include trend graphs; and
- funding to deliver further electric charging infrastructure throughout North Ayrshire.

The Cabinet agreed to (a) approve the end of year 2018/19 Council Plan/Directorate Plan performance reports; and (b) refer the report to the Audit and Scrutiny Committee on the 10 September 2019 for further scrutiny.

## **7. Domestic Abuse Policy Review**

Submitted report by the Executive Director (Finance and Corporate Support) on the proposed changes to the Domestic Abuse Policy in the relation to the introduction of Safe Leave. The Policy was set out at Appendix 1 to the report.

The Cabinet agreed to approve the revised Domestic Abuse Policy set out at Appendix 1 to the report, which included provision for 10 days Safe Leave.

## **8. Health and Safety Annual Report 2018/19**

Submitted report by the Executive Director (Finance and Corporate Support) on the Health and Safety performance within Council Services during 2018/19. The Health and Safety Annual report was set out at Appendix 1 to the report.

Noted.

## **9. ICT Infrastructure Strategic Review**

Submitted report by the Executive Director (Finance and Corporate Support) on the Council's ICT Infrastructure Strategic Review.

Members asked a question and were provided with clarification on the 7-year replacement period for the wide Area Network, Local Area Network, Telephony and Wireless LAN.

The Cabinet agreed to (a) note progress on the Infrastructure Strategic Review; (b) approve the allocation of capital funding of £1,692,362 to be spent across a three year period from 2019/20 to 2021/22; and (c) approve progression to the tender phase.

#### **10. Revenue Budget 2018/19: Financial Performance to 31 March 2019**

Submitted report by the Executive Director (Finance and Corporate Support) on the performance for the Council for 2018/19. Service Financial Performance details were set out at Appendices 1-7, the Housing Revenue Account at Appendix 8, a schedule of the budget transfer, or virements, at Appendix 9 and the Health and Social Care Partnership financial performance at Appendix 10 to the report.

Members asked a question and were provided with clarification on the Health and Social Care Partnership overspend.

The Cabinet agreed to (a) note the information and financial performance outlined in the report; (b) approve the earmarking of £0.566m identified at section 2.4 of the report to meet future year commitments; and (c) note the current financial performance of the Health and Social Care Partnership at section 2.5 of the report.

#### **11. Capital Programme Performance to 31 March 2019**

Submitted report by the Executive Director (Finance and Corporate Support) on the progress in delivering the Capital Investment Programme for 2018/19. The progress of all projects was set out at Appendix 1 and the Housing Revenue Account set out at Appendix 2 to the report.

Members asked a question and were provided with clarification on the funding of capital from revenue.

The Cabinet agreed to (a) note the revisions to budgets outlined in the report; (b) approve the reallocation of the underspend within Largs Academy to support the ASN school project; and (c) note the General Services and HRA expenditure to 31 March 2019.

#### **12. Maximising Opportunities from Advertising on North Ayrshire Land Assets**

**Please note - this item was heard by the Audit & Scrutiny Committee on Thursday 27 June 2019, please refer to the minute for the decision.**

Submitted report by the Head of Service (Commercial Services) on the proposed pilot approach to maximising resources from the sale of advertising opportunities on Council assets – land assets (roundabouts).

Members asked a question and were provided with clarification on the aim to secure agreements for each location on a minimum contract period of 6-12 months.

The Cabinet agreed (a) to approve the proposed approach to testing the market for maximising opportunities from advertising on Council land assets (roundabouts); (b) to delegate authority to the Head of Service (Commercial) to progress with the pilot as outlined; and (c) note the advertising principles detailed within the report to protect the Council's interests and reputation.

### **13. Acquisition of Land for Council House Building**

Submitted report by the Head of Service (Physical Environment) on the proposed purchase of land at Ayrshire Central, Irvine for Council House Building. A map of the site was attached at Appendix 1 to the report.

The Cabinet agreed to approve the acquisition of land at Ayrshire Central, Irvine from the NHS for a sum of £2,700,000, subject to the deduction of abnormal development costs.

### **14. Declaration of a Climate Change Emergency**

Submitted report by the Head of Service (Physical Environment) to declare a climate change emergency and initiate public debate on the next steps in tackling climate change in North Ayrshire.

The Cabinet agreed to (a) approve the Council's declaration of a climate change emergency; (b) instruct officers to undertake public consultation, with a particular focus on engaging young people, on the next steps for a collective response to tackling climate change in North Ayrshire; and (c) instruct that officers initiate preparation of an updated Environmental Sustainability and Climate Change Strategy for publication in Autumn 2020.

### **15. Scottish Government Consultation: Short Term Lets**

Submitted report by the Head of Service (Physical Environment) on the Scottish Government consultation on short-term let accommodation. The draft response to the Scottish Government was set out at Appendix 1 to the report.

Members asked questions and were provided with clarification on holiday and short-term lets on Islands.

The Cabinet agreed to approve the draft response set out at Appendix 1 to the report for submission to Scottish Government.

### **16. Decriminalised Parking Enforcement and the Introduction of Car Parking Charges**

**Please note - this item was heard by the Audit & Scrutiny Committee on Thursday 27 June 2019, please refer to the minute for the decision.**

Submitted report by the Head of Service (Commercial Services) which advised of an application to Scottish Government to introduce Decriminalised Parking Enforcement within North Ayrshire and which proposed the introduction of car parking charges. The short stay car park maps were set out at Appendix 1 to the report.

The Cabinet agreed (a) that an application seeking the introduction of Decriminalised Parking Enforcement across the North Ayrshire Council area be finalised and submitted to Scottish Government; (b) to the introduction of car parking charges at identified short stay car parks and identified on-street parking at Brodick as detailed in Appendix 1 to the report; (c) that a review of the current Town Centre Car Parking Strategy in support of proposals to introduce car parking charges be carried out; (d) to note the proposed recruitment of a Car Parking Manager to progress the introduction of car parking charges and application for Decriminalised Parking Enforcement; (e) to further engagement with local Ward members, to review existing parking restrictions, potential vehicle displacement and the introduction of resident parking permit schemes, as appropriate; (f) that officers proceed with the necessary Traffic Regulation Orders required to introduce parking charges in the designated car parks and on-street in Brodick; (g) to note the next steps as outlined in section 2.31 of the report; and (h) to receive progress update reports as appropriate.

#### **17. Gaelic Language Plan**

Submitted report by the Executive Director (Economy and Communities) on the second edition of the North Ayrshire Gaelic Language Plan. The Plan was set out at Appendix 1 to the report.

The Cabinet agreed (a) to approve the second edition of North Ayrshire's Gaelic Language Plan; and (b) that it be remitted to officers to continue to work with Bòrd na Gàidhlig and partners on the development of Gaelic.

#### **18. Proposal for Community Investment Fund (CIF) Expenditure**

Submitted report by the Executive Director (Economy and Communities) on an application by the Three Towns Locality Partnership. The application was set out at Appendix 1 to the report.

The Cabinet agreed to (a) approve the application from the Locality Partnership in line with CIF criteria; (b) approve an award of £50,000 to the Training Station; and (c) accept future reports on the progress of the initiatives at dates to be agreed with the Locality Partnerships.

#### **19. National Islands Plan and Island Communities Impact Assessment Consultation**

Submitted report by the Executive Director (Economy and Communities) on North Ayrshire Council's response to the Scottish Government's consultation on the National Islands Plan and Island Communities Impact Assessment. The response was set out at Appendix 1 to the report.

The Cabinet agreed to approve (a) the proposed North Ayrshire Council response to the National Islands Plan and Island Communities Impact Assessment consultation; and (b) the inclusion of the responsibility for islands matters in North Ayrshire within the portfolio of the Cabinet Member for Economic Growth.

## **20. West of Scotland Loan Fund**

Submitted report by the Executive Director (Economy and Communities) on the proposals to wind up West of Scotland Loan Fund (WSLF) Limited.

The Cabinet agreed to approve (a) winding-up the West of Scotland Loan Fund Limited (WSLF) as a member authority; (b) the transfer of North Ayrshire Council's West of Scotland Loan Fund assets to Business Loans Scotland (BLS); and (c) an amendment to the BLS Articles of Association, to allow BLS to pay surplus funds back to member local authorities, with authority delegated to the Head of Economic Growth to agree the draft resolution and sign in accordance with requirements of BLS.

## **21. Better Off North Ayrshire update**

Submitted report by the Executive Director (Economy and Communities) on the latest performance and financial position.

The Cabinet agreed to (a) note (i) the update provided on Better Off North Ayrshire, (ii) the issues raised with regard to the financial risks to the Council and (iii) the steps being put in place to mitigate those risks and reduce projected spend by £300k; and (b) receive a further update report in 6 months, with an update to be provided on the financial position and the future service arrangements for financial inclusion services.

## **22. Regeneration Capital Grant Fund – Funding Applications for 2020/21**

Submitted report by the Executive Director (Economy and Communities) on the Regeneration Capital Grant Fund applications for 2020/21.

The Head of Economic Growth advised of a correction to the report, clarifying a contribution of £0.5M towards the £2M cost of the redevelopment of Millport Town Hall, rather than the £3M stated in the report.

The Cabinet agreed to submit applications for projects at Lochshore, Annickbank (Irvine Enterprise Area) and Millport Town Hall as detailed in the report.

## **23. Active Travel and Transport External Funding 2019/20**

Submitted report by the Executive Director (Economy and Communities) on grant offers to allow the implementation of projects. The active travel and transport Priorities were set out at Appendix 1 and the active travel and transport projects were set out at Appendix 2 to the report.

The Cabinet agreed to (a) approve the acceptance and expenditure of the successful grant offers as detailed at Appendix 2 to the report; (b) approve the acceptance and expenditure of the outstanding grant offers and additional awards identified if successful; and (c) receive a further report on the proposed projects and associated funding applications for 2020/21.

#### **24. Community Wealth Building**

Submitted report by the Executive Director (Economy and Communities) on the recent work to progress Community Wealth Building in North Ayrshire. The proposed remit was set out at Appendix 1 to the report.

The Cabinet agreed (a) to note (i) the progress of developing Community Wealth Building proposals and plans for North Ayrshire and (ii) the update on the inclusion of a Community Wealth Building Fund as part of the Ayrshire Growth Deal Heads of Terms; (b) that a new Community Wealth Building Commission be established to lead the development of this work; (c) the Leader of Council chair the Commission; and (d) to approve the participation of proposed Elected Members.

#### **25. A738 Kilwinning Road, Stevenston Experimental Traffic Regulation Order**

Submitted report by the Executive Director (Economy and Communities) on the Experimental Traffic Regulation Order to enable the trial of taxis utilising the Bus Lane in Kilwinning Road, Stevenston.

The Cabinet agreed to (a) approve the promotion of an Experimental Traffic Regulation Order to enable the trial of taxis utilising the Bus Lane; and (b) receive a future report on the outcome of the Experimental Traffic Regulation Order.

The Meeting ended at 4.50 p.m.