

Cabinet
25 March 2014

Irvine, 25 March 2014 - At a Meeting of Cabinet of North Ayrshire Council at 2.40 p.m.

Present

Willie Gibson, Marie Burns, John Bruce, Anthea Dickson, Tony Gurney, Alan Hill and Ruth Maguire; M. Fraser, E. Highton and Very Reverend M. Canon McManus (Church Representatives); and J. McCormick and N. McDonald (Youth Representatives).

Also Present

John Easdale, Tom Marshall, Alex McLean, Alan Munro, Donald Reid and Robert Steel.

In Attendance

E. Murray, Chief Executive; I. Colvin, Director (North Ayrshire Health and Social Care Partnership); L. Friel, Corporate Director, Y. Baulk, Head of Service (Finance and Property), T. Reaney, Procurement Manager and D. Tate, Senior Manager (Property Management and Investment) (Finance and Corporate Support); C. Hatton, Corporate Director, R. McCutcheon, Head of Environment and Related Services, J. Smith, Senior Manager (Roads) and W. Turpie, Operations Manager (Streetscene) (Development and Environment); M. Docherty, Head of Service (Education 3-18), A. Sutton, Head of Service (Community and Culture), S. Quinn, Head of Service (Development), F. Rodman, Senior Manager (Early Years and Childcare), T. Stewart, Head Teacher (Irvine Royal Academy) and S. Quinn, Graduate Trainee (Education and Skills); A. Woodison, Communications Officer and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

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 accuracy of the Minutes of the meeting held on 25 February 2014 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Inspection of the Learning Community Surrounding Irvine Royal Academy: Education Scotland Report

Submitted report by the Head of Service (Community and Culture) (Education and Skills) on the Education Scotland report on the Learning Community surrounding Irvine Royal Academy. The Education Scotland report was set out at Appendix 1 to the report.

The Cabinet received a presentation by the Head of Service (Community and Culture) on the purpose of the Education Scotland report and the positive evaluations, key strengths, effective practice and areas for improvement identified within it. Quality indicator ratings of "very good" were noted in relation to improvements in performance, impact on participants and improving services, and Education Scotland gave an "excellent" rating in terms of impact on the local community.

The Cabinet agreed to (a) note the findings of the Education Scotland report; (b) approve the proposals made to address the key points for action in the Inspection Report; (c) note the arrangements for follow-through; and (d) commend all those involved in service delivery, including members of the community, for their hard work and commitment.

4. Irvine Royal Academy: Education Scotland Report

Submitted report by the Head of Service (Education 3-18) (Education and Skills) on the Education Scotland Report on Irvine Royal Academy. The Education Scotland findings were set out at Appendix 1 to the report and the Improvement Action Plan arising from the inspection was provided at Appendix 2.

The Cabinet received a presentation by the Head Teacher, Irvine Royal Academy, on the school's action plan for improvement and on measures being put in place to raise attainment and achievement.

The Cabinet agreed to (a) note the findings of the Education Scotland report; and (b) commend the Head Teacher, staff and pupils for their work in seeking to bring about improvement.

5. Rezoning the Denominational Primary School Catchment Areas in Kilwinning Statutory Public Consultation Documentation

Submitted report by the Head of Service (Development) (Education and Skills) which sought approval to issue Statutory Public Consultation Proposal Documents to rezone the denominational primary school provision in Kilwinning. A proposal document was provided at Appendix 1 to the report.

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

- the likelihood of high numbers of placing requests;
- the importance of effective communication with pupils; and
- the approximate timescale for any future housing development.

The Cabinet agreed (a) that the proposal documents set out at Appendix 1 to the report be issued to all interested parties; (b) that all interested parties be invited to make written representation on the proposals to the Head of Service Development (Education and Skills) no later than 3 June 2014; and (c) to receive a report on the results of the consultative process at a future meeting of the Cabinet (Education).

6. Toilet Provision in North Ayrshire Council Schools Update

Submitted report by the Head of Service (Development) (Education and Skills) on progress made to improve toilet provision in schools across North Ayrshire. A copy of the draft circular prepared by headteachers and the pupil reference group was set out at Appendix 1 to the report.

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

- the prioritisation of future refurbishment works;
- the likely timescale for the analysis of toilet condition information;
- the importance of ensuring adequate drinking water provision in schools; and
- accessibility issues in respect of transgender pupils.

The Cabinet agreed (a) to acknowledge the draft standards circular set out at Appendix 1 to the report, with a view to this being implemented across all schools; (b) to approve the ongoing work of the cross service working group and pupil reference group in the shaping of future refurbishment or new-build projects; (c) to approve the implementation of the service charter for school toilets included in the draft standard circular; (d) to approve the development of an investment plan for consideration; and (e) that the Cabinet be kept advised of developments.

7. Update on Progress with Provision of 600 Hours of Early Education and Childcare for August 2014

Submitted report by the Head of Service (Education 3-18) (Education and Skills) on the progress made towards delivering 600 hours of Early Education and Childcare in August 2014. The outcome of a 600 Hours parental survey was set out at Appendix 1 to the report.

The Cabinet agreed (a) to approve the implementation plan for 2014/15, incorporating (i) an increase in the staff working week to 37.5 hours, (ii) the creation of six senior early years practitioner posts, (iii) increased funding for resources, including additional support needs requirements, (iv) increased payment to partner providers to £2,150, (v) the creation of new 2-5 early years provision in Winton Primary School and (vi) additional staffing to provide places to 2-year-old children who are looked after or who are subject to a kinship care order; and (b) that a further detailed plan for the delivery of early education and childcare to 2 year olds from workless households be submitted to a future meeting of the Cabinet (Education).

8. Strategic Review of Educational Services Update

Submitted report by the Chief Executive which (a) reported on progress made on the Strategic Review of Educational Services; (b) indicated that a further update would be provided to the Cabinet in three months; and (c) advised that the Programme Board would give further thought to engagement with Elected Members outwith regular Cabinet reports. An Improvement Charter for the Strategic Review of Educational Services was attached at Appendix 1 to the report. Appendix 2 contained a briefing note on the outcome of a meeting with the Director of the Robert Owen Centre for Educational Change.

Noted.

9. Development of a Town Centre Car Parking Strategy for North Ayrshire

Submitted report by the Corporate Director (Development and Environment) on the development of a draft Town Centre Car Parking Strategy. Appendix A to the report provided an analysis of the consultation and survey analysis.

The Cabinet received a presentation by the Corporate Director (Development and Environment) on the outcome of the parking survey, other policy considerations and the parking proposals arising.

Members asked questions, and received clarification, on the timescale for the implementation of the parking strategy and arrangements for its review.

The Cabinet agreed to approve the actions at 2.17-2.27 set out in the report, for inclusion within a draft parking strategy to be issued for public consultation.

Councillor Dickson joined the meeting during discussion of this item.

10. Litter, Flytipping and Dog Fouling Prevention Strategy 2014 - 2019

Submitted report and presentation by the Corporate Director (Development and Environment) on the Litter, Flytipping and Dog Fouling Prevention Strategy 2014 - 2019. The proposed strategy document was set out at Appendix 1 to the report.

The Cabinet received a presentation by the Head of Environment and Related Services on the background to the strategy, existing arrangements and performance, and the three key strands of the strategy (educate, enable and enforce).

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

- the comparative impacts of flytipping, litter and dog fouling on the local community;
- the Council's responsibilities in terms of addressing litter on public beaches;
- community involvement in tackling litter; and
- engagement with the Procurator Fiscal's Office on the issue of enforcement.

The Cabinet agreed to approve the Litter, Flytipping and Dog Fouling Prevention Strategy 2014-2019 as set out at Appendix 1 to the report, together with the associated actions contained therein.

Councillor Burns joined the meeting during discussion of this item.

In terms of Standing Order 6.8, the Chair adjourned the meeting for a short period following this item. The meeting reconvened with the same Members present.

11. General Services Revenue Estimates 2014/15: Update

Submitted report by the Corporate Director (Finance and Corporate Support) on the General Services Revenue Budget for 2014/15, analysed by service and expenditure type. The General Services Revenue Estimates matrix was set out at Appendix 1 to the report.

Noted.

12. Revenue Budget 2013/14: Budgetary Control Statement to 31 January 2014

Submitted report by the Corporate Director (Finance and Corporate Support) on the revenue budgetary control position for the Council at 31 January 2014. A brief explanation of Services' major variances was provided in the appendices to the report.

The Cabinet agreed to (a) note the information and financial projections outlined in the report; (b) note the action being taken by Social Services and Health to reduce the current projected overspend; (c) approve a carry forward within General Services of £1.353m to 2014/15 as detailed in Sections 2.6, 2.7, 2.7.2, 2.8.3 and 2.9 of the report; (d) approve the carry forward within Housing Revenue Account of £0.376m as detailed in Section 2.17 of the report; and (e) approve the virements detailed in Appendix 9 to the report.

13. Capital Monitoring to 31 January 2014

Submitted report by the Corporate Director (Finance and Corporate Support) on progress in delivering the Capital Investment Programme as at 31 January 2014. Information of the progress of all General Services projects was provided at Appendix 1 to the report and the position in respect of Housing projects contained at Appendix 2.

The Cabinet agreed to (a) approve the further revisions to budgets outlined at Section 2.1 and Appendix 1 to the report; (b) approve the carry forward of funds to 2014/15 as outlined in Sections 2.5 and 2.12 and (c) note (i) the actual General Services and HRA expenditure to 31 January 2014 and (ii) the forecast of expenditure to 31 March 2014.

14. Saltcoats Town Hall Redevelopment Project

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) reported on progress in relation to the Saltcoats Town Hall redevelopment project; (b) outlined changes to the proposed accommodation schedule; and (c) sought approval for the balance of the required funding to be allocated to the project via the General Services Capital Fund.

The Cabinet agreed (a) to note progress made with the project to date; (b) to approve the changes to the proposed accommodation schedule; and (c) that the balance of the funding being requested, be met via the General Services Capital Fund.

15. Millport Marine Biological Station

Submitted report by the Corporate Director (Finance and Corporate Support) on progress in respect of (i) legal negotiations in relation to the purchase of an area of land required to accommodate a new accommodation block and associated parking and (ii) legal negotiations to grant a lease to the Field Study Council (FSC) for the accommodation block.

Members asked questions, and received clarification, on the proposed clawback agreement.

That Cabinet agreed to commence legal negotiations in relation to (i) the purchase of an area of land adjacent to the Millport Marine Biological Station for a new accommodation block and associated parking and (ii) the granting of a lease to the Field Study Council in connection with the accommodation block.

16. Brodick Harbour Redevelopment

Submitted report by the Corporate Director (Development and Environment) which (a) reported on proposals by Caledonian Maritime Assets Ltd to implement a comprehensive redevelopment of Brodick Harbour; and (b) raised matters in respect of the case for financial support to be provided by the Council, as well as the source of Council funding. A plan of the site was set out at Appendix 1 to the report and Appendix 2 contained an Impact Assessment of Brodick Harbour Redevelopment.

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

- longer-term implications for the Ardrossan Harbour side of the ferry crossing; and
- the options available in terms of meeting the Council's financial contribution.

In terms of Standing Order 6.8, the Chair adjourned the meeting for a short period to allow Members to consider the options available in terms of meeting the Council's financial contribution to the project. The meeting reconvened with the same Members present.

The Cabinet agreed (a) to note the progress made with proposals for the redevelopment of Brodick Harbour; (b) that a bid for support from the Coastal Communities Fund be prepared and submitted on behalf of the group; (c) to approve the provision of financial support from North Ayrshire Council, subject to a commitment from Caledonian Maritime Assets Limited that the project will be delivered in a single phase; and (d) to recommend to the Council that the Council's financial contribution be met from the uncommitted balance on the Council's Capital Fund.

17. Road Maintenance Programme 2014/15

Submitted report by the Corporate Director (Development and Environment) seeking agreement to the proposed Structural Roads and Street Lighting Maintenance Programme for 2014/15. The Prioritisation Matrix was set out at Appendix 1 to the report and the proposed maintenance programme for roads and street lighting contained in Appendix 2.

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

- the consultation process, consensus agreement and roads closure protocol in respect of works to the String Road on Arran; and
- the replacement of lighting column bulbs on Arran, including the anticipated savings arising, the finance arrangements for the project, and the intention to extend it to the mainland.

The Cabinet agreed (a) to note the approach taken to determining the asset maintenance programme for roads and street lighting; and (b) approve the maintenance programme for 2014/15, as shown at Appendix 2 to the report.

18. The High Hedges (Scotland) Act 2013 - Application Fees

Submitted report by the Corporate Director (Development and Environment) proposing that the level of fee for applications made to North Ayrshire Council under the High Hedges (Scotland) Act 2013 should reflect that of a basic planning application.

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

- whether the proposed fee would be payable by the applicant or the hedge owner; and
- the level of fees being adopted by other local authorities.

The Cabinet agreed (a) to approve the proposed application fee of £382 for applications made under the High Hedges (Scotland) Act 2013; and (b) that the application fee provisions be reviewed within 12 months of the commencement of the Act on 1 April 2014 and any recommended amendments reported to the Cabinet for consideration at that time.

19. Ayrshire Out of Hours Noise Team

Submitted report by the Corporate Director (Development and Environment) on the outcome of a review of the Ayrshire Out of Hours Noise Team and proposals for a revised response to out of hours noise complaints.

The Cabinet agreed (a) that an Out of Hours Service based on dealing with domestic and non domestic noise complaints commence from 1 April 2014, as set out in the report; and (b) that an evaluation of the Service be undertaken and a report provided to Cabinet by March 2015.

20. Contract Award for Demolition, Downtopping and Redevelopment Works at Dickson Drive, Irvine

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) reported on the result of the tender exercise for the demolition, downtopping and redevelopment works at Dickson Drive, Irvine; (b) presented a recommendation for the award of the contract. The Tender Outcome Report was attached at Appendix 1 to the report.

The Cabinet agreed to approve the award of the contract to McLaughlin Construction Ltd, as detailed within the report.

21. Term Contract (MTC): Maintenance, Monitoring and Repairs of Fire and Intruder Alarm Systems and Fire Fighting Equipment

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) report on the result of the tender exercise for the MTC for Maintenance, Monitoring and Repairs of Fire and Intruder Alarm Systems and Fire Fighting Equipment; and (b) presented a recommendation for the award of the contract. The Tender Outcome Report was attached at Appendix 1 to the report.

The Cabinet agreed to approve the award of the contract to Fortress Security Ltd, as detailed within the report.

22. Strategic Risk Register 2014/15

Submitted report by the Corporate Director (Finance and Corporate Support) on the key strategic risks facing the Council. An executive summary of the Strategic Risk Register 2014/15 was set out at Appendix 1 to the report.

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

- the risk associated with the viability of private care providers; and
- the role and remit of the Council's Audit Committee.

Noted.

23. Ayrshire Economic Partnership Minutes of Meeting held on 19 February 2014

Submitted report by the Corporate Director (Development and Environment) on the draft Minutes of the meeting of the Ayrshire Economic Partnership held on 19 February 2014.

Noted.

24. Brodick Pier Redevelopment Group Minutes of Meeting held on 21 February 2014

Submitted report by the Corporate Director (Development and Environment) on the Minutes of the meeting of the Brodick Pier Redevelopment Group held on 21 February 2014.

Noted.

25. Economic Development and Regeneration Board Minutes of Meeting held on 26 February 2014

Submitted report by the Corporate Director (Development and Environment) on the Minutes of the Meeting of the Economic Development and Regeneration Board held on 26 February 2014.

Noted.

Councillor Bruce left the meeting at this point.

26. Exclusion of the Public

The Cabinet resolved, in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following items of business on the grounds indicated in terms of Paragraphs 9 (Item 28) and 1 and 3 (Item 29) of Part 1 of Schedule 7A of the Act.

28. Surplus Property - Ardow House, Whiting Bay, Isle of Arran

Submitted report by the Corporate Director (Finance and Corporate Support) which sought approval to proceed with the disposal of the residential property known as Ardow House, Whiting Bay, Isle of Arran.

The Cabinet agreed to approve the disposal of Ardow House, Whiting Bay, Isle of Arran, in the terms detailed in the report.

29. Social Work Complaints Review Committee: Complaint by Mr W.

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting of 7 March 2014.

The Cabinet agreed (a) to accept the Committee's recommendation (i) not to uphold the complaint; (ii) that Social Services staff continue to use their best endeavours to find a suitable placement for the complainant; and (iii) that Housing Services should be involved in identifying appropriate accommodation for Mr W.

The meeting ended at 5.10 p.m.