

Cabinet
18 December 2012

May 2007 - April 2011

IRVINE, 18 December 2012 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Signed Stamp : No

Present

Willie Gibson, Alan Hill, Marie Burns, Anthea Dickson, John Ferguson and Alex McLean; and, for Education Business, M. Fraser, E. Higton and Very Reverend M. Canon McManus (Church Representatives), G. Smith (Teaching Representative) and K. Miller and D. Hawthorn (Pupil Representatives).

Also Present

Donald Reid.

In Attendance

E. Murray, Chief Executive; L. Friel, Corporate Director and G. Macgregor, Head of HR and Organisational Development (Finance and Corporate Support); C. Kirk, Corporate Director, A. Sutton, Head of Service (Community and Culture), M. Docherty, Head of Service (Education 3-18) and M. Armstrong, Head of Service (Logistics and Infrastructure) (Education and Skills); C. Hatton, Corporate Director, K. Yeomans, Head of Service (Development Planning), C. Naismith, Team Leader - Economic Development, A. O'Henley, Economic Development Officer, L. Kirk, Access Officer and L. Aird, European Officer (Development and Environment); K. Dyson, Communications Officer and M. Anderson, Committee Services Officer (Chief Executive's Service).

Also In Attendance

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Tony Gurney.

1. Declarations of Interest

In terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors, Councillor McLean, as a Council representative on the NALL Board of Directors, declared a non-pecuniary interest in Agenda Item 7 (North Ayrshire Leisure Limited (NALL) and the New Leisure Centre, Irvine), left the meeting and took no part in its determination.

2. Minutes

The Minutes of the previous meeting of the Cabinet held on 4 December 2012, were signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Progress Report for Curriculum for Excellence Management Board

Submitted report by the Corporate Director (Education and Skills) on the report to be provided to the Curriculum for Excellence Management Board. The Cabinet also received a presentation by the Head of Service (Education 3-18) (Education and Skills) which highlighted the entitlements associated with the Curriculum for Excellence, progress to date and the challenges which remain outstanding.

Appendix 1 to the report summarised the Council's progress in delivering the Curriculum for Excellence. Its content was informed by feedback from all schools, which met in cluster groups to evaluate their progress, and by information from HMIE reports, follow-through reports, school reviews and schools' standards and quality reports. Among the progress detailed, was better transition planning with joint cluster training to support progression and the expansion of opportunities for virtual learning. The report also identified the challenges in delivering the six Curriculum for Excellence entitlements, such as defining and delivering choice and involving partner providers in cluster work and moderation.

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

- the positive impact of the Curriculum for Excellence on pupil confidence;
- the extent to which the senior phase strategy will take into account the out-of-school environment;
- measures to increase the confidence of parents and ensure their engagement in the Curriculum for Excellence;
- the practical application of the principles of inter-disciplinary learning; and
- measuring staff confidence and engagement.

Members recorded their appreciation of the performance of pupils at recent Christmas concert events.

The Cabinet agreed to (a) note the progress made in North Ayrshire in the implementation of Curriculum for Excellence; and (b) endorse the progress report set out at Appendix 1, for submission to the Scottish Government.

4. Doran Review

Submitted report by Corporate Director (Education and Skills) on the findings of the Doran Review, "The Right Help at the right time in the right place: Strategic Review of Learning Provision for Children and Young People with Complex Additional Support Needs".

In November 2012, the Scottish Government published 3 interlinked documents on Additional Support Needs policy and practice. One was the Government's response to the Doran Review, which contained the 21 recommendations shown in Appendix 1. The review concluded with an emphasis on the need for the Scottish Government, local authorities, health boards, the independent and voluntary sectors to improve the provision and integration of services for Complex Additional Support Needs.

The Council's existing practice and provision have recently been positively evaluated in relation to meeting the needs identified in the reports. The proposal to amalgamate the two existing schools for children and young people with multiple and complex needs (James McFarlane and Haysholm) on a new campus provides the opportunity to enhance the education provision and also to create an improved focus for specialised inter-service and inter-agency working. When Education and Skills' Validated Self Evaluation report is formally published, the consequent action plan will ensure that the recommendations of governmental reports are fully incorporated.

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

- the anticipated timescale for the Children and Young People Bill referred to in Recommendation 13 of the Doran Review;
- whether any guidance or training would be provided to help ensure a consistent approach to implementing the recommendations; and
- if there were any cost implications arising from the need to recruit and retain suitably qualified staff.

The Cabinet agreed (a) to note the findings of the Doran Review, that North Ayrshire is well placed to take forward the recommendations; and (b) that its recommendations be built into the Action Plan emerging from the current Validated Self Evaluation (VSE).

5. Consultation Proposals Arising from the Garnock Campus Project

Submitted report by Corporate Director (Education and Skills) on consultative documents in respect of proposals arising from the Garnock Campus Project.

In November 2012, in recognition of parents' concerns about the South Lochshore site, officers issued a letter and response form to those parents with children at Moorpark Primary. Parents' views were sought on whether or not Moorpark Primary School should be included in the new campus. The results were summarised at Section 2.2 of the report.

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The report proposed that officers consult further with parents of existing primary and pre-school children within the catchment area of Moorpark primary school to seek their views on the incorporation of Moorpark within the campus at the preferred site near to Glengarnock railway station. In order to rebalance the catchment areas of Moorpark and Glengarnock Primary schools and ensure the Council can meet the needs of the pupils, it was also recommended that the pupil catchment area be re-zoned to take cognisance of future house building and demographic changes should Moorpark not form part of the new campus.

Appendices 1-4 of the report set out the proposed consultation documents. A full list of consultees and a copy of the consultation response form were provided at Appendices 5 and 6, respectively. The consultation documents propose the closure of Moorpark primary school in June 2015, with its pupils transferring to the new campus at the preferred site and, if the outcome of the consultation is that Moorpark primary school is not part of the new campus, that the pupil catchment area of Moorpark primary school and Glengarnock primary school is re-zoned as shown in Appendix 4.

The Cabinet agreed that (a) the attached consultative documents be issued to all interested parties; (b) all interested parties be invited to make written representation on the proposals to the Corporate Director (Education and Skills) no later than 22 February 2013; and (c) the Corporate Director (Education and Skills) submit a report on the results of the consultative process for consideration at a future meeting of the Cabinet (including Education business).

6. Ayrshire's New College Consultation: North Ayrshire's Response

Submitted report by Corporate Director (Education and Skills) on the response to the consultation document "Ayrshire's New College" issued by the Chairs of the 3 Ayrshire Further Education Colleges in October 2012.

Local colleges have been engaging in a change programme which aims to create the new regional college structure for Ayrshire by 1 August 2013. The consultation document set out at Appendix 1 to the report seeks views on the formation of the new regional College which will see a merger of Ayr College, Kilmarnock College and James Watt College (North Ayrshire Campus).

The proposed changes were summarised on page 4 of the consultation document and at Section 2.4 of the report. Section 3 of the report contained the main points to be highlighted in a proposed response by the Council to the consultation exercise.

Members asked questions, and received clarification, on work to ensure the availability of STEM (science, technology, engineering and mathematics) courses and a wide variety of first point of access courses in North Ayrshire.

The Cabinet agreed (a) to note that a response will be submitted to the consultation welcoming the formation of a new Ayrshire College, as described in the consultative document set out at Appendix; (b) that reassurance be sought by officers that the new college will work in the existing spirit of partnership with the three local authorities; and (c) otherwise, to note the contents of the report.

7. North Ayrshire Leisure Ltd (NALL) and the New Leisure Centre, Irvine

Submitted report by Corporate Director (Education and Skills) on improvements in the delivery of leisure services by North Ayrshire Leisure Limited (NALL) and on arrangements for the operation of the new leisure centre in Irvine.

Progress made by the working group to review of North Ayrshire Leisure Ltd and leisure service provision has resulted in the development of a positive and more stable working relationship between NALL and the Council. Evidence of improvement on the part of both parties has been demonstrated in terms of outcomes and performance, governance improvements and other significant transformational changes, as summarised at Section 2 of the report. It was proposed that further progress be made by engaging with NALL in a more formal and structured process on the aims set out at Section 3.1 of the report.

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

- proposals to include NALL in the design phase of the new leisure centre;
- NALL's role in proactively identifying improvements and new initiatives; and
- arrangements to ensure that the NALL workforce is kept informed of progress and developments.

The Cabinet agreed that (a) senior officers engage with NALL to commence dialogue on the creation of a Service Specification for the operation of the new leisure centre; (b) clarification is sought on the procurement implications, if any, associated with the operation of the new leisure centre; and (c) the Corporate Director (Education and Skills) submit a further report to the Cabinet on this matter as soon as possible.

8. Housing Revenue Account (HRA) Budget Virement for 2012/13

Submit report by Corporate Director (Finance and Corporate Support) on virement of £300,000 between expenditure lines within the 2012/13 Housing Revenue Account (HRA) capital budget.

The HRA capital budget for the financial year 2012/13 includes an allocation of £3,479,912 to undertake a programme of electrical rewiring and central heating

replacement. The Council's main contractor for these works, CFM Limited (CFM), has now served a 13-week break option notice on the Council, intimating that they are terminating the agreement around mid-February 2013. As a result, it is estimated that circa 8% of the current year's intended rewiring and central heating programme will remain incomplete.

In order to maximise the HRA capital spend during 2012/13, the report proposed the transfer of £300,000 from "rewiring and central heating" to "re-roofing and rendering." The term contractor for re-roofing and rendering, Marley Roofing Limited, has been provided with indicative additional addresses and has confirmed these additional works can be undertaken within the current financial year. A procurement exercise will be undertaken to identify a suitable replacement contractor for CFM.

The Cabinet agreed to approve (a) the budget virement for 2012/13 of £300,000 from "rewiring and central heating" to "re-roofing and rendering", as outlined in the report; and (b) the re-tendering of the combined central heating and electrical rewiring contract.

9. Introduction of Two Stage Complaints Handling Procedure

Submitted report by Corporate Director (Finance and Corporate Support) on progress made to corporate approach to quality control proposing the establishment of a centralised dedicated post of Complaint and Feedback Manager to manage and monitor the success of the new procedure and provide support to services.

The Scottish Public Services Ombudsman (SPSO) is requiring Councils to adopt a new two stage Complaints Handling Procedure (CHP) to help drive improvements in public service complaints handling through the development of a simplified, standardised CHP. The Council's proposed CHP and implementation plan has been signed off as compliant by the SPSO and the new procedure has been piloted within the former Environment and Related Services.

The report recommended the establishment of a dedicated post of Complaint and Feedback Manager to manage and monitor the success of the new procedure and provide support to services. The role of the new officer was summarised at Section 3.1 of the report and the financial implications were set out at Section 4.1.

Members asked questions, and received clarification, on the role of the CHP as a tool to help deliver service improvements.

The Cabinet agreed to (a) note progress made and agrees the corporate approach to quality control; and (b) the establishment of a dedicated post of Complaint and Feedback Manager to manage and monitor the new procedure and provide support to services.

10. Creation of a Corporate Transport Facility

Submitted report by Corporate Director (Development and Environment) on the formation of a Corporate Transport Facility.

The creation of a proposed corporate transport facility is proposed to directly manage all transport functions, such as the procurement and maintenance of Council-owned vehicles and the hire of plant and machinery. The transfer of responsibilities for transport to a central operation will enable improved co-ordination and sharing of assets owned by the Council, to maximise their use and reduce the need to procure third party arrangements.

The Cabinet agreed (a) to the creation of a Corporate Transport Facility; (b) that the corporate transport facility be aligned with the internal transport service within Environment and Related Services; (c) that, with effect from 1 April 2013, all budgets in respect of transport be consolidated within Environment and Related Services; and (d) that appropriate staff within Education and Skills, Social Services and Health, and Finance and Corporate Support be transferred to the newly-formed corporate facility.

11. Community Outdoor Access Grant Scheme 2012/13

Submitted report by Corporate Director (Development and Environment) on a number of grant awards under the Community Outdoor Access Grant Scheme.

The Community Outdoor Access Grant Scheme (COAGS) was developed in 2003 to provide a formalised route for community groups to apply and for the Access Officer and Outdoor Access Forum to assess and prioritise such assistance. Applications were invited to the scheme between 1 April 2012 and 31 August 2012. A total of 6 applications were received and assessed in partnership with the North Ayrshire Outdoor Access Forum. A summary of the applications submitted and recommendations for funding is provided as Appendix 1 to this report.

The Cabinet agreed to approve the awards set out at Appendix 1 to the report.

12. Radio City, Kilbirnie

Submitted report by Corporate Director (Development and Environment) on a funding request of £15,000 from Radio City to enable continued operation during the remainder of the current financial year.

Radio City is currently projecting a financial shortfall of £15,000 over the next few months, which is likely to put its continued operation at risk of closure, with the likelihood of it ceasing to operate and having to lay off staff. This would also bring uncertainty to its current tenants and their staff.

The report indicated that Radio City recognises the severity of the situation it faces and has commissioned, through the North Ayrshire Social Enterprise Support Programme, the development of a new business plan to identify new funding streams, diversify activity and ultimately deliver a more sustainable business. A bid is being submitted to the People and Communities Fund and the Trust is developing a number of initiatives to support its long-term sustainability. Gap funding for Radio City of £15,000 would cover trading shortfalls over the next 5 months whilst plans are developed to provide a sustainable future.

Members asked questions, and received clarification, on the need to assist the organisation in improving its turnover figure.

The Cabinet agreed to approve the funding request of £15,000 from Radio City, subject to a condition requiring the development of a robust business plan setting out a sustainable future for the organisation.

13. Economic Development Budget 2012/2013

Submitted report by Corporate Director (Development and Environment) on the investment plans for the agreed budget carry forward from 2012/13 to 2013/14.

The Economic Development Service currently undertakes activity in three major areas, namely Employability, Town Centre Regeneration and Business Development. The 2012/13 budget for the service is £12.645m, including a carry forward of £2.55m from 2011/12. At its meeting on 20 November 2012, Cabinet agreed a budget carry forward of £2 million within the Economic Development budget from the current year into 2013/14. Section 3 of the report proposed that the £2m carry forward be invested in the following areas during 2013/14:-

- employment support programmes (£775);
- business development (£325k); and
- economic development strategy funding for a graduate programme (c. £275k), marketing North Ayrshire (c. £100k) and enhanced business support (c. £525k)

Members asked questions, and received clarification, on recent changes in the Council's approach to economic development.

The Cabinet agreed to approve the proposals for investing the £2m Economic Development carry forward during 2013/14.

14. Maximising Attendance - Half Yearly Review of Performance - 2012-13

Submitted report by Corporate Director (Finance and Corporate Support) on the Council's mid year performance in Maximising Attendance for 2012-13.

Appendix 1 to the report showed the Maximising Attendance performance against target, by Service, by employment group for Quarter 2 plus the cumulative performance as at the end of Quarter 2. With the exception of the Chief Executive's Service, ICT and Customer Services, all other services have not met their Quarter 2 targets. A comparison of days lost for Quarter 2 this year compared with the same quarter last year shows a slight improvement, but the poorer performance in Quarter 1 means that at the half-year stage the overall figure for the Council is greater than last year.

Appendix 2 to the report included a projection to year end, which shows that, with the exception of the Chief Executive's Service, all other services are unlikely to achieve their target for the year. The overall projection is for 9.0 days lost against a target of 6.8 days.

Directors and Heads of Service will continue to monitor absence ensuring that prompt and appropriate management action is taken in accordance with the Maximising Attendance Procedure. HR Advisers will continue to work closely with service contacts to monitor progress and assist managers in finding appropriate solutions.

Noted.

15. Woodgrove Sheltered Housing Unit, Dreghorn

Submitted report by Corporate Director (Finance and Corporate Support) for the award of a contract for the refurbishment of Woodgrove Sheltered Housing Unit, Dreghorn.

The former Executive approved the refurbishment works in November 2011. The budget allocation agreed at that time was £1,095,000, from the 2012/13 Housing Revenue Account (HRA). The tendering process is now complete and the Tender Outcome Report was set out at Appendix 1 to the report. The most competitive compliant tender was submitted by James Frew Limited. The tender cost is £1,236,432.22, £141,432.20 greater than current budget.

The report proposed progressing the project as per the current design specifications, with the additional costs being funded via the HRA Business Plan - 2013/14 sheltered housing capital funds.

The Cabinet agreed to approve the acceptance of the tender submitted by James Frew Limited, for the sum of £1,236,432.22, as detailed in the Tender Outcome Report set out at Appendix 1 to the report.

16. Education Attainment and Achievement Policy Board: Minutes of Meeting held on 12 November 2012

Submitted report by Corporate Director (Education and Skills) on the minutes of the meeting of the Education Attainment and Achievement Policy Board held on 12 November 2012.

Noted.

17. Economy and Employment Policy Board: Minutes of 26 November 2012

Submitted report by Corporate Director (Development and Environment) on the Minutes of the Economy and Employment Policy Board held on 26 November 2012.

Noted.

18. Health and Social Care Policy Board : Minutes of Meeting held on 26 November 2012

Submitted report by Corporate Director (Education and Skills) on the Minutes of the Health and Social Care Policy Board held on 26 November 2012.

Noted.

19. Urgent Item

The Chair agreed that the following item be considered as a matter of urgency to allow officers to respond to a consultation exercise within the allowed timescale.

19.1 Review of EU Administrative Boundaries

Submitted report by the Corporate Director (Development and Environment) on a consultation paper issued by Scottish Government on a review of Nomenclature of Units for Territorial Statistics (NUTS) boundaries.

The Nomenclature of Units for Territorial Statistics (NUTS) is the name given to geographical boundaries set and regulated by the European Union. A review of the NUTS boundaries is currently being carried out and the Scottish Government has invited responses to the draft proposals by 10 January 2013.

As part of the current review, the Scottish Government has been asked to consider merging the Highlands & Islands with the North Eastern Scotland NUTS 2 area so that all areas within Scotland have populations within the recommended thresholds. The Scottish Government is not in favour of this change and instead plans to submit proposals which would align NUTS boundaries to current Local Authority boundaries.

The changes associated with both proposals would mean that Arran and the Cumbrae's would not be in the same EU administrative category as other Scottish islands, and this could in due course lead to differences in the EU policy, regulatory and funding regimes applying to the islands. A proposed consultation response was set out in the Appendix to the report.

Members asked questions, and received clarification, on plans to seek the support of Highland Council, Highlands and Islands Enterprise and potentially the Convention of Highlands and Islands for the position set out in the Council's consultation response.

The Cabinet agreed (a) to approve consultation with key island and external partners in recognition of the potential impact of the proposals on North Ayrshire's island communities and businesses; and (b) subject to minor revision by Officers to strengthen its content, to submit the response set out at Appendix 1, objecting to the proposed changes insofar as they would affect North Ayrshire.

The meeting ended at 3.55 p.m.