

The Executive of North Ayrshire Council  
28 October 2008

**IRVINE, 28 October 2008** - At a Meeting of the Executive of North Ayrshire Council at 3.00 p.m.

**Present**

David O'Neill, John Reid, Tom Barr, John Bell, Margaret McDougall and Peter McNamara.

**Also Present**

Matthew Brown, Alan Hill, Alex Gallagher, Ruby Kirkwood, Elisabeth Marshall, Ronnie McNicol and Pat McPhee.

**In Attendance**

I. Snodgrass, Chief Executive; B. Docherty, Corporate Director and S. Paterson, Head of Service (Children, Families & Criminal Justice) (Social Services); T. Orr, Corporate Director (Property Services); A. Herbert, Assistant Chief Executive (Finance); J. Leckie, Head of Service (Educational Services); A. Anderson, Economic Development Manager, M. Ferrier, Team Leader - Development Plans, J. Montgomery, General Manager, M. McKeown, Committee Services Officer, and A. Wattie, Communications Officer (Chief Executive's).

**Also In Attendance**

Mr G. Coleman and Mr J. Crichton, NHS Ayrshire and Arran.

**Chair**

Councillor O'Neill in the Chair.

**1. Consultation on Location of Mental Health In-Patient Services**

Submitted report by the Corporate Director (Social Services) on a consultation by NHS Ayrshire and Arran on options for the future delivery of acute mental health in-patient services in Ayrshire.

Acute mental health in-patient services in Ayrshire are currently provided from three sites i.e. Ailsa Hospital, Crosshouse Hospital, and Ayrshire Central Hospital. As part of a wider review of mental health services, NHS Ayrshire and Arran is consulting on options for the future location of these services. The views expressed by consultees will be taken into account when the five options that are being considered are ranked and scored, and a report on the way forward is expected to be submitted to a meeting of the NHS Board in November 2008. The five options are:-

- Option 1 - Single site: a combined, new build and refurbishment of Ailsa Hospital.
- Option 2 - Single site: new build, Ayrshire Central Hospital.

- Option 3 - Two-site option: the main services will be in Ailsa Hospital (through a combination of redecoration and renovation of some existing buildings and some additional new buildings) with a second smaller site at a newly built facility at Ayrshire Central Hospital.
- Option 4 - Two-site option: main services in a newly built facility at Ayrshire Central Hospital with a second, smaller site at Ailsa Hospital (a combination of redecoration and renovation of some existing buildings and some additional new building).
- Option 5 - Current services status quo.

It was proposed that the Council should support Option 2, which involves locating a new purpose built facility at the site of Ayrshire Central Hospital. This option will:-

- provide improved accommodation for both patients and staff which is capable of building on existing mental health services at this location;
- provide scope for a wide range of patients groups whose needs may fluctuate to access treatment and care with least disruption to these individuals;
- provide a much more attractive work environment with increased staff support infrastructure and its central location will attract a wider pool of staff;
- permit high level of energy efficiency measures to be incorporated into the design and construction; and
- help challenge the stigma which attaches to admissions to Ailsa Hospital by locating this facility within a new area.

In addition, Option 2 will ease travelling arrangements for patients from East and North Ayrshire and their relatives, and provide increased scope for integration between Health and Council services. Locating this facility within North Ayrshire will also bring a significant economic boost to the area, and increase employment opportunities across a range of different staff grades. Secondary employment opportunities will be created by having such a large public sector facility within the area.

Members emphasised the need for adequate public information and engagement to alleviate any local concerns when a final decision is taken.

The Executive agreed that NHS Ayrshire and Arran be advised of the Council's support for Option 2, as set out in the report.

## **2. Investments in Icelandic Banks**

Submitted report by the Assistant Chief Executive (Finance) on the Council's exposure to Icelandic banks as a result of the global economic downturn.

When the Council has surplus cash at particular points in time it can invest in short term deposits that maximise interest at minimum risk, to generate income for the benefit of front line services. In terms of the Council's approved Treasury Management Strategy, investments are only made with banks with ratings of "A" or above for long term investments, and "F1" for short term investments. These credit ratings are provided by three recognised rating agencies who assist in ascertaining the credit quality of banks and similar institutions i.e. Fitch, Standard & Poors, and Moody's. For short term deposits, Fitch ratings of "F1" are defined as "Highest Credit Quality" which indicates "the strongest capacity for timely payment of financial commitments".

North Ayrshire Council has £15m investments deposited with Icelandic banks - £5m with Landsbanki and £10m with Glitnir. At the time both deals were agreed, both Landsbanki and Glitnir met the Council's investment counterparty criteria having Fitch ratings of "A" and "F1". The Council has invested sums with both these Icelandic banks in the past, and the investments have been repaid on the due dates. An independent Internal Audit report has subsequently confirmed that these investments were made in accordance with the Council's approved Treasury Management Strategy. In addition to the deposits with Icelandic banks the Council has over £40m invested with other "F1" banks on short term deposits.

When it became clear that Icelandic banks were in trouble as a result of the global economic downturn, raising concerns about the return of the Council's investments, action was immediately taken within the Council to determine the extent of the problem and what could be done to retrieve the situation. COSLA and the Scottish Government were apprised of the financial exposure facing the Council and letters were subsequently sent to the Chancellor of the Exchequer from both these bodies requesting his intervention in this situation in the hope of resolving the matter. On 15 October 2008, the Leader of the Council attended a specially convened meeting with the Secretary of State for Scotland, the Cabinet Secretary for Finance and Sustainable Growth, the President of COSLA and Treasury officials to consider the position. Further discussions took place on 20 October 2008 between COSLA and the 8 Scottish local authorities affected by the issue when further action was agreed.

It is clear that the issues are complex and it may take some time before the situation is fully resolved. With respect to support for local authorities, the Treasury has provided no guarantees to cover deposits. However, should the Treasury offer support this will apply equally to Scotland. In the event that the department in London with responsibility for local government offers support to English authorities, it will then be for the Scottish Government to consider equivalent support. The Scottish Government has indicated it is willing to consider ways to facilitate any Scottish council which has cash flow difficulties arising from deposits not being returned at the contract times. It is not anticipated that the Council will require this but it is helpful to know this support is there.

Action will continue to be taken to recover the deposits. The Council can manage the matter in the short to medium term with little detrimental impact on the Council's operations. However, in the worst case scenario, and the Council is not repaid its investments and interest from Glitnir and Landsbanki, a rescue plan will be prepared identifying measures both internal and external to the Council to address the shortfall. Any potential shortfall will impact on both the General Fund and the Housing Revenue Account.

The Executive (a) noted the position; and (b) agreed that Members be kept up to date with developments.

### **3. North Ayrshire's Employability Programme: Tenders for the Delivery of the Integrated Employability Service and LookaHead Employability Service**

Submitted report by the Chief Executive on tenders received in respect of the delivery of the Integrated Employability Service and the LookaHead Employability Service.

The North Ayrshire Employability Programme is wholly funded by the Fairer North Ayrshire Fund and the European Social Fund. The Community Planning Partnership (CPP), through the Social and Economic Development Thematic Group led by the Council, is responsible for delivering the Programme. The Integrated Employability Service and the LookaHead Service are part of the overall programme. The former comprises services designed to deliver community outreach activity aimed at introducing inactive people to the labour market, and to providing support for unemployed individuals to get into work and transitional employment placements. The latter Service provides specialist advice to aid the transition of individuals with long term health problems back into the labour market.

Tenders for the delivery of these services were issued in June 2008 for return by mid July. 2 tenders were returned in respect of the Integrated Employability Service, and 1 in respect of the LookaHead Service. Details of the offers received and the results of the tender evaluation process were set out in the appendix to the report.

The Executive agreed (a) in respect of the Integrated Employability Service to accept the tender submitted by Ceis Ayrshire; and (b) in respect of the LookaHead Service to accept the tender submitted by The Wise Group.

### **4. National Planning Framework for Scotland 2: Strategic Environmental Assessment - Supplementary Assessment of Candidate National Developments**

Submitted report by the Assistant Chief Executive (Legal and Protective) on a consultation on the supplementary environmental assessment of 'Candidate' National Developments issued by the Scottish Government.

The discussion draft of the National Planning Framework for Scotland 2 (NPF2), which was published for consultation by the Scottish Government in January 2008, proposed 9 National Developments for Scotland, only one of which had an association with Ayrshire. At its meeting held on 1 April 2008, the Executive approved a response to the consultation which requested that:-

- the key economic development corridor be extended to Irvine Bay, Hunterston and Prestwick Airport;
- Hunterston and Prestwick Airport be designated as National Developments;
- there be greater recognition of the economic development potential of the Energetics Cluster at Ardeer;
- the implications arising from the Southwest Scotland transmission line and any potential for a sub sea cable via Hunterston be clarified, with the Council reserving its position until this is known;
- statements regarding radioactive waste be fully explained, with the Council reserving its decision until this is known.

Since the discussion draft was published, numerous new opportunities, ideas and proposals have been put forward by stakeholders, including North Ayrshire Council, that have not been subjected to environmental assessment and consultation. The Scottish Government has therefore issued a consultation paper on supplementary environmental assessments undertaken in respect of 52 Candidate National Developments, including the 9 National Developments set out on the discussion draft. The findings from the environmental assessments will form one part of the ongoing process of evaluation to decide which projects will finally be designated as National Developments. No final conclusions on the merits or otherwise of the suggested National Developments have been drawn at this stage and the presence of any Candidate National Development within the document does not indicate any commitment by the Scottish Government. A number of the proposed Candidate National Developments set out in the latest consultation document have implications for North Ayrshire, Ayrshire as a whole, and Southwest Scotland i.e.

- Hunterston is included, but not just as a transshipment facility requiring deep water but also for a clean coal power station;
- Prestwick Airport is included;
- The Energetic Cluster on the Ardeer Peninsula is included. However, the SEA refers to a "Masterplan" and SEA exercise which at present has no formal status and the economic development potential of the energetics cluster is not a key focus of the SEA;
- Energy Transmission Infrastructure and Hunterston Caradale Sub Sea Cable are both included;
- There is no reference to the key economic development corridor or its extension. This would not have been expected to be the subject of further SEA;

- There is no additional reference to treatment of radioactive waste; and,
- Additional developments suggested by others include Improved rail connectivity in the West of Scotland, Rail service enhancement between Glasgow and Inverclyde/Ayrshire, Central Scotland Green Network, and National Network of Waste Facilities.

Written responses to the consultation paper are invited by 31 October 2008. Specifically the Scottish Government is seeking views on the environmental effects of the Candidate National Developments, whether there are any further sources of environmental information which should be taken into account within the assessment, and any further views on the suitability or otherwise of the Candidate National Developments for inclusion in the NPF2, based on their predicated environmental effects. A proposed Council response to the consultation was set out in the appendix to the report.

The Executive agreed (a) to approve the proposed consultation response as set out in the appendix to the report; and (b) that the response be submitted to the Scottish Government by the deadline of 31 October 2008, with a cover letter advising that the terms of the response will be confirmed following the expiry of the 'call-in' per the Council's Scheme of Administration.

## **5. Corporate Parenting**

Submitted joint report by the Corporate Directors (Social Services) and (Educational Services) on how North Ayrshire Council and its partners can fulfil their roles as corporate parents and discharge their responsibilities in a new and effective way.

The Scottish Executive publications *Extraordinary Lives: Creating a Positive Future for Looked After Children and Young People in Scotland* (September 2006) and *Looked After Children and Young People: We Can and Must Do Better* (January 2007), both strongly argue the need to address the ill defined and misunderstood concept of 'corporate parenting', and each emphasises the role of local authorities in improving the future of Scotland's looked after children, and the need for local authorities to put and keep the needs of the child and young person at the centre of everything they do. In September 2008, the Scottish Government and COSLA published *These Are Our Bairns: A Guide for Community Planning Partnerships on Being a Good Corporate Parent*. This guidance recommends a number of steps that Councils and their community planning partners can take to improve outcomes for looked after children and young people and care leavers, by better fulfilling their corporate parent function.

In autumn 2007, the Scottish Government provided one-off funding to local authorities to support the strengthening of the corporate parenting function.

North Ayrshire received £85,000 which was carried forward into financial year 2008/09 and used to commission work on a Corporate Parenting Strategy and to fund a range of awareness raising and training events. A computer software package has also been purchased from Viewpoint which facilitates more effective consultation with looked after children and young people. The Corporate Parenting Group established by North Ayrshire Integrated Children's Services Plan Steering Group has led on drafting the Corporate Parenting Strategy.

Research and experience in regard to what constitutes an effective Corporate Parenting Strategy highlights the need for all stakeholders to be fully involved and committed to the strategy and, in particular, elected Members and senior managers. The other major prerequisite for a Corporate Parenting Strategy to be effective is that there needs to be meaningful engagement with looked after children and young people. To this end, the report set out proposals to reconstitute the membership of the Corporate Parenting Group under the Chairmanship of Mary Docherty, Head of Educational Services, to include representation from all agencies involved with looked after children and young people. Looked after children will also be represented on the group and appropriate support will be provided to ensure they feel confident in being able to represent their views and opinions. The Group will report regularly to the Integrated Children's Services Planning Steering Group. An annual report from the Group will be presented to the Council, with information regarding performance being presented to the Scrutiny Committee. As the commitment and involvement of elected Members in their role as corporate parents is key to an effective strategy, the report also set out proposals to involve elected Members through a cross area/cross party corporate parenting reference group. The need to involve elected Members more directly with the work of the Corporate Parenting Group was discussed and the Corporate Director (Social Services) undertook to look at how this can be achieved.

The Executive agreed (a) to note the progress being made to develop a Corporate Parenting Strategy for North Ayrshire; and (b) to approve the proposals to reconstitute the Corporate Parenting Group as detailed in the report subject to the Corporate Director (Social Services) identifying how elected Members can be more directly involved in the work of the Group.

## **6. Location of the Throughcare Service for Young People Leaving Care and Future Use of the Building at West Road, Irvine**

Submitted report by the Corporate Director (Social Services) proposing (a) that the existing Social Services office at Dreghorn be used as the location for the Throughcare Service for young people leaving care; and (b) that the building at West Road, Irvine be used to accommodate the Family Placement Service and Services for Children with a Disability.

The Chair advised that he, the Chief Executive, Councillor Barr, and the relevant Head of Service within Social Services had met with young people involved with the Throughcare Service to discuss their concerns regarding the decision taken by the Council on 10 September not to locate the Throughcare Service to West Road, Irvine. At this meeting the young people involved with the Throughcare Service indicated their disappointment at the Council's decision, and made it clear that the proposed alternative 'shop front' facility in Dreghorn would be unsuitable, an off main street location being better. The young people asked to be involved in any assessment. A subsequent letter from the Young Person's Worker of Who Cares? Scotland on behalf of young people in North Ayrshire in relation to the Throughcare issue was tabled. This letter urged the Council to reconsider its position. In the circumstances, the Chair recommended that the report be continued and referred to the Council.

The Executive agreed to (a) continue consideration of the report; and (b) recommend to the Council that it reconsiders the decision taken on 10 September 2008 not to relocate the Throughcare Service for young people leaving care to West Road, Irvine.

## **7. Kinship Care**

Submitted report by the Corporate Director (Social Services) on the implications for the Council arising from the interim guidance on kinship care produced by the Scottish Government.

At its meeting held on 13 May 2008, the Executive considered a report by the Corporate Director (Social Services) on the background to the implementation of a kinship care strategy for North Ayrshire Council and on future support for kinship carers. At that time the Executive agreed to (a) approve the steps being proposed to develop such the strategy; and (b) receive a further report at a future meeting once national guidance and new Regulations are in place.

The task group established by the Scottish Government to develop guidance for kinship care has now developed interim guidance for assessing and approving kinship carers and addressing their training needs. The guidance also looks at models of practice for kinship carers who do not require approval as they do not care for children who are looked after and accommodated. These carers will not receive an allowance but may be given discretionary payments. The guidance is interim at this stage as new looked after children Regulations are still being drafted and are unlikely to be issued until about July 2009. The Regulations and guidance pertaining to the Adoption and Children (Scotland) Act 2007 are likely to be implemented at the same time. The new kinship care service will be a regulated service subject to inspection by the Care Commission in the same way as the fostering service.

North Ayrshire Council currently has arrangements for children who are looked after and placed with relatives or friends known as either link carers or kinship carers. The Link Carer Scheme was introduced prior to 1996. There are 16 carers who care for 21 children. Many of these children are in the upper age range and will be exiting the scheme in the next three to five years. The total spent on this scheme is £42,814 per annum. The Kinship Care Scheme was introduced as an alternative to placing children with foster carers or in residential establishments. The advantages are that this keeps children with people who already know them and in many cases children are able to maintain links with their schools and community. There are currently 52 kinship carers caring for 71 children. Allowances are made available on the basis of the age of the child. These payments are less than those made to foster carers. The total yearly cost for these placements is £362,219 per annum.

The report set out a number of options for supporting kinship carers in the future, and detailed the financial implications, benefits and risks associated with each option. It was considered that option 2, which involves all existing kinship carers being paid at level 1 foster care rates with no other changes, should be adopted as a way forward.

The Executive agreed to proceed on the basis of option 2, as set out in the report, and to receive a progress report on the implementation of the strategy in due course.

## **8. Review of Care Packages: Proposed Spend to Save Initiative**

Submitted report by the Corporate Director (Social Services) on a proposal for the fixed-term appointment of two additional Social Worker posts to facilitate a review of care packages with the aim of identifying efficiencies.

The Council has a statutory duty to assess any adult who it believes may need community care services. Over recent years, there has been an increasing demand for care and support services for adults with significant care needs. There are several reasons for this, including the closure of long stay hospitals, the increasing number of young people coming through from Children's Services, and the improved life expectancy of adults with a range of complex disabilities. Whilst the Council has allocated additional resources to address these care needs, there are still people who have been assessed as requiring support packages for whom resources are not immediately available. In addition a number of people have been identified who will require complex support packages in the future.

The costs of care packages for adults living in the community amounts to £6 million per annum. In order to ensure that resources are being put to best use, it was proposed that 2 experienced social workers be employed to undertake reviews of existing care packages and/or to provide additional capacity to allow care managers to review the care packages of their service users. This will be a 'spend to save' initiative lasting one year which on a full year basis will cost £82,000.

Whilst it is envisaged that an objective review of these support packages may in some instances identify a requirement for additional resources, overall it is likely to achieve a reduction in support required. An overall reduction in care packages of 2.5% would result in savings of £150,000 per annum. This may be a conservative estimate of the savings that could be achieved, which could then be redirected by the Council.

Following evaluation of the initiative, consideration will be given to the effectiveness of introducing robust review arrangements on an ongoing basis where care packages reach a certain upper threshold. This exercise will be based on meeting assessed needs and care packages will only be changed where an assessment shows that this is an appropriate action. Work will be progressed sensitively and service users and workers will be a key part of the process.

The Executive agreed to approve the fixed-term appointment of two additional Social Worker posts as a "spend to save" initiative to facilitate a review of care packages to identify efficiencies, as outlined in the report.

## **9. Independent Living Service: Cleaning and Recycling of Equipment**

Submitted report by the Corporate Director (Social Services) on the proposed arrangements for the use of the Council's Turbex Tunnel Washing Machine.

The Council's Independent Living Service provides a range of equipment to promote independence and ease daily living tasks for people with disabilities. Equipment provided ranges in value from a few pounds to several hundreds of pounds. Although equipment is provided to address the assessed needs of people with disabilities, some users make extensive use of the equipment provided while others make no effective use of it. Service users therefore use equipment for highly varied periods of time ranging from weeks to several years. When equipment is returned to the Council, some is only fit for disposal, while other items have a significant potential life span if ways could be found to return them to a condition fit for issue to another service user. A key consideration is ensuring that the equipment is clean and serviceable.

Commissioning of the new equipment store at Kyle Industrial Estate has allowed an appropriately sized Turbex Tunnel Washing Machine to be fitted, with areas set aside for preparing equipment for cleaning, for drying equipment after cleaning, and for storing equipment pending re-issue. The installation of the Washing Machine, allowing re-use of high value items of equipment, is expected to provide a cost effective approach to provision of equipment. It is hoped that savings on the purchase of new equipment will in due course offset the costs of installing the machine. A stock control system is also being commissioned to allow individual items of equipment to be logged and tracked throughout their useful life.

South and East Ayrshire Councils, NHS Ayrshire & Arran, and the Council's Educational Services have all indicated an interest in utilising time on the Tunnel Washing Machine to permit recycling of their own equipment. It is the intention to sell vacant capacity on the machine to allow this to happen. For the moment it is proposed that the machine be hired out at a cost of £300 per day to other agencies, pending an analysis of the power consumption, chemical usage, costs of wrapping materials, and the amount of technician time actually required.

Once all staff are in place within the store, it is envisaged that sheltered or supported employment will also be provided for a small number of people with disabilities. This service may be linked with the collection of equipment from people's homes.

The Executive agreed to (a) approve an initial charge of £300 per day for the use of the Council's Turbex machine; and (b) receive a further report in 6 months on the outcome of a full evaluation and analysis of costs.

#### **10. Cumbrae: Millport: Garrison House**

Submitted report by the Assistant Chief Executive (Legal and Protective) on a request from the Cumbrae Community Development Company Limited for additional funding towards the restoration of the Garrison House, Millport, Isle of Cumbrae.

The restoration of the Garrison House, Millport, has been completed and the building is now in use. The main contractor who undertook the restoration building works has however submitted a claim under the terms of the building contract it has with Cumbrae Community Development Company Limited, the company set up to oversee the restoration and management of the building, for an additional £325,000 resulting from additional works and delays due to inclement weather. Although this sum has not been fully evaluated by the company's project managers, they are nevertheless of the opinion that the claim has some merit.

The company, through its project managers, has approached the project's various funding bodies for further contributions to meet the claim, or at least a proportion thereof. Indications are that Heritage Lottery Fund will be unable to assist as they had already put a "ceiling" on their award. ERDF Funding is no longer available for such a project and, with the reorganisation of the Enterprise Companies, Argyll & Isles Enterprise are unlikely to be in a position to assist. Historic Scotland has given an undertaking to contribute a further £72,400 towards the sums claimed.

Although the original Council contribution was directed at the restoration and re-use of the Garrison, the project was seen as being the catalyst for wider community development. Progress in this area has however been slow to emerge.

It was proposed therefore that the Council should agree in principle to make a final contribution of £80,000 toward the project from the contingency in the Repairs and Renewal Fund to the Garrison Project, subject to the development company providing guarantees that the necessary arrangements and support for community development will be in place for at least the next 4 years.

The Executive agreed (a) in principle to approve an additional contribution of £80,000 towards the outstanding balance of sums due on the Building Contract for the restoration of Garrison House, Millport, subject to the development company providing guarantees to the Council that it will lead and provide the necessary support for wider community development on Cumbrae; and (b) that a meeting be arranged in early course between relevant Council officers and local Members and representatives of the development company, to discuss how this matter can be taken forward to the satisfaction of both parties.

## **11. West Kilbride: Portencross: Request for Financial Assistance**

Submitted report by the Assistant Chief Executive (Legal and Protective) on a request from the Friends of Portencross Castle, that the Council acts as guarantor for a working capital loan from the Architectural Heritage Fund (AHF) in connection with the project to restore Portencross Castle.

Portencross Castle is a registered ancient monument located outside West Kilbride and has been the subject of a project to restore its fabric and preserve its structure for the future. Friends of Portencross Castle, a registered charity, was established to achieve this restoration. The charity has obtained significant funding from Historic Scotland and Heritage Lottery Fund. The estimated cost of the works is put at £1.0778m, most of which has already been secured.

Tenders have been issued and received for the structural repair works and the charity is ready to accept the lowest tender. The process also involves the charity seeking a loan from Architectural Heritage Fund (AHF) to facilitate the building contract payment. This is referred to as a working capital loan. The advisers to Friends of Portencross Castle have estimated that a loan of £70,000 would be required from AHF. As part of the terms of the proposed loan from AHF, the charity is seeking a guarantee from the Council that in the event of default by Friends of Portencross Castle, the loan will be repaid. The risks associated with the Council providing this guarantee have been assessed and are considered manageable.

The Executive agreed (a) to approve the guarantee of a working capital loan to Friends of Portencross Castle, to a maximum of £70,000 in relation to restoration of the Castle; and (b) that the guarantee remain in place during the period of the building works (estimated at 48 weeks).

## **12. Irvine: Land at Ayr Road and Lamont Place**

Submitted report by the Corporate Director (Property Services) on the proposed sale of an area of land at Ayr Road/Lamont Place, Irvine, to Lidl UK.

Lidl have planning permission to construct a supermarket on the site of the former Scotwest Training Centre at Ayr Road, Irvine. In order to complete the development site, Lidl require a strip of Council-owned ground extending to approximately 1336 square metres to allow a new access road to be formed. Provisional agreement has been reached with Lidl for the sale of this strip of land at a cost of £250,000, together with payment of the Council's fees, and on other terms and conditions to be agreed. The sale is dependent on the Council resuming possession of Unit 85, which although currently vacant, is held on lease by Comet who continue to pay rent and rates. Negotiations are ongoing with Comet in terms of the company's obligations to comply with an outgoing Schedule of Dilapidations on the building. Until these negotiations are satisfactorily concluded, the Council is not in a position to sell the strip of land to Lidl. The longstop date will be May 2010 when the current Comet lease is due to expire.

The Executive agreed to approve the sale of land at Ayr Road/Lamont Place, Irvine, to Lidl UK, in the sum of £250,000, together with payment of fees, and on other terms and conditions to be agreed, as set out in the report.

## **13. Tenders for the Provision of Consultancy Services Utilising a Framework Agreement Term Contract for an Extended Period**

Submitted report by the Corporate Director (Property Services) on tenders received for the provision of consultancy services for roads, transportation and civil engineering professional services utilising a series of framework agreements.

At its meeting held on 8 January 2008, the Executive approved a report seeking approval to enter into a series of framework agreements with external consultants for the provision of professional services in relation to roads, transportation and civil engineering services. Whilst it was anticipated that these consultancy services would mainly be used by Roads Services, Technical Services had also expressed a desire to utilise some or all of the services on an interim basis.

Following the January meeting, expressions of interest were invited from experienced consultants in conformity with the European Union (EU) procurement process for restricted tendering, and a pre-qualification questionnaire was issued to interested consultants. 12 consultants returned the questionnaires and supporting documentation that satisfied the minimum requirements. All of these consultants are known to Roads Services and have provided consultancy services in the past. Each is recognised as having expertise in the field of transportation and civil engineering consultancy services.

It was the intention to appoint up to four consultants for this framework agreement, and as four out of 12 is considered to be a fair and appropriate ratio, all 12 consultants were invited to tender. All tenders were returned by the specified return time and evaluated in terms of quality and costs. Details of the offers received and the tender assessment evaluation were provided in the appendix to the report. The offers from Grontmij, Mouchel, and URS were considered to be the most beneficial to the Council. The report set out the level of fees that will be payable to each of the consultants as and when work is allocated to them.

The Executive agreed to accept the tenders submitted by Grontmij, Mouchel, and URS, as set out in the appendix to the report.

#### **14. Write Off of Ex-Council Tenant Arrears**

Submitted report by the Assistant Chief Executive (Finance) on ex Council tenant rent arrears written off under delegated powers and seeking approval to write off balances over £1,000.

Rent arrears of former tenants of Council houses accumulate for a variety of reasons. In some circumstances arrears can eventually be deemed to be irrecoverable. In terms of the Council's Financial Regulations Code of Practice relating to the Control of Income, individual arrears under £1,000 can be written off under delegated powers by the Assistant Chief Executive (Finance) in association with the Chief Executive. Individual arrears in excess of £1,000 may only be written off with elected Member approval.

The total value of ex-tenant rent arrears (inclusive of court costs) deemed to be irrecoverable amounts to £189,764.67. This sum represents 14.0% of the current total of rent arrears outstanding, and 0.54% of the Council's budgeted house rent income for 2008/09. In accordance with the Code of Practice, £121,693.30 has been written off by the Assistant Chief Executive (Finance) after consultation with the Chief Executive. A balance of £68,071.37, made up of irrecoverable individual rent arrears of more than £1,000, remains to be written off.

The Executive agreed to (a) note the amount written off under delegated powers; and (b) approve the write off of the non-recoverable and irrecoverable overpayments in excess of £1,000, totalling £68,071.37, as set out in the report.

#### **15. North Ayrshire Children's Panel Advisory Committee: Appointment of New Member**

Submitted report by the Chief Executive on the proposed appointment of a new member to North Ayrshire Children's Panel Advisory Committee (CPAC).

North Ayrshire CPAC is made up of six members, four of whom are appointed by Scottish Ministers and two by the Council. Following the resignation of one of the Council's appointees, a recruitment exercise was undertaken to identify a suitably qualified person to fill the vacancy. Mrs Elaine Maclean was subsequently interviewed by the CPAC Chair and Vice Chair and, at its meeting held on 12 September 2008, the Committee agreed to approve the appointment of Mrs Maclean as a member of CPAC for a three year period to 31 October 2011, subject to a satisfactory Disclosure Scotland Check and references. These have since been received and have revealed no issues of concern.

The Executive agreed to the appointment of Mrs Elaine Maclean as one of the Council's representatives on North Ayrshire CPAC for a three year period to 31 October 2011.

#### **16. Urgent Item**

The Chair agreed that the following item of business be considered as a matter of urgency to bring Members up to date with developments.

#### **17. Largs: Moorburn House**

Submitted report by the Corporate Director (Educational Services) on the collapse of the proposed sale of Moorburn House, Largs, and on proposals for the interim use of the property.

At its meeting held on 29 July 2008, the Executive agreed to the sale of Moorburn House for residential redevelopment. Since then the developer has withdrawn from the proposed sale. Given the current market conditions, the Council has been advised not to renegotiate or remarket the property until the market improves.

The services and staff who presently occupy Moorburn House will transfer to Brooksby House in early 2009, leaving the property unoccupied. Given the potential implications for the condition of the property and any future sale if the building is left unoccupied, and the potential need to put in place additional security measures to protect the facility, it was proposed that the building should be transferred to Educational Services and made available for limited community use. Access to the facilities will be managed in accordance with the Council's current letting scheme and charges policy. This interim arrangement will continue until such time as the market improves or the proposed new community centre is built in the Largs area, allowing the property to be remarketed. The cost implications associated with the proposed interim use of the building were set out in the report.

The Executive agreed to (a) note the position regarding the proposed sale of the property; and (b) approve the interim use of Moorburn House, Largs, as a facility for let, as set out in the report.

The meeting ended at 4.25 p.m.