

The Executive of North Ayrshire Council
31 March 2009

IRVINE, 31 March 2009 - At a Meeting of the Executive of North Ayrshire Council at 2.30 p.m.

Present

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

In Attendance

I. Snodgrass, Chief Executive; T. Orr, Corporate Director, O. Clayton, Head of Housing and Building Services, and J. Currie, Head of Environment and Related Services, (Property Services); B. Docherty, Corporate Director (Social Services); C. Kirk, Corporate Director and J. Ward, Head of Service (Educational Services); I.T. Mackay, Assistant Chief Executive (Legal and Protective); J. Montgomery, General Manager and P. Shiach, Committee Services Officer (Chief Executive's).

Chair

Councillor O'Neill in the Chair.

Apologies for Absence

John Reid.

1. Declarations of Interest

Councillor McNamara declared an interest in agenda item 2 and took no part in the discussions thereon. Councillors O'Neill and McDougall declared an interest in agenda item 3 and took no part in the discussions thereon.

2. Revised North Ayrshire Leisure Limited (NALL) Business Plan 2009/10

Submitted report by the Corporate Director (Educational Services) seeking approval of the amendment to North Ayrshire Leisure Limited (NALL) Business Plan for 2009/10.

The Executive, at its meeting on 27 January 2009, approved financial support of £4,109,144 to NALL in financial year 2009/10 subject to the finalisation of the Council's budget and requested that NALL review its Business Plan for 2009/10 to take account of the Council's contribution.

Following the finalisation of the Council's budget, it was confirmed that NALL will receive £4,109,144 which is lower than the original request of £4,270,001 and will result in a funding gap of £161,857. The Chief Executive of NALL submitted, for approval, a revised Business Plan to address this gap. Details of the revised Plan were contained in appendix A to the report.

The amendment to the Business Plan proposed a reduction in the provision for insurance, closure of the Auchenharvie ice rink from the end of May 2009 and a reduction in the provision for marketing.

The Executive agreed to approve the NALL Business Plan for 2009/10 as amended.

3. Implementation of the New Community Health Partnership (CHP) Arrangements

Submitted report by the Corporate Director (Social Services) on the successful implementation of the new Community Health Partnership (CHP) arrangement.

The Executive, at its meeting of 24 June 2008, approved proposals for the reconfiguration of CHPs in Ayrshire, recommended to the Council that in addition to the Leader, the Portfolio holder for Community Planning be nominated to the North Ayrshire CHP Committee and agreed to receive a further report on the implementation of the new arrangements in six months.

North Ayrshire Council (NAC) and NHS Ayrshire and Arran (NHSA&A) have now in partnership fully developed local working arrangements. Details of these arrangements, including CHP working arrangements, links to Community Planning Partnership arrangements and new developments were contained within the report.

The Executive agreed to (a) approve the CHP developments as outlined in the report; and (b) continue to receive Minutes of the CHP Committee at future meetings.

4. Elected Members' Development

Submitted report by the Chief Executive on proposals to introduce an annual Personal Development Planning system for elected Members and associated public reporting arrangements.

In September 2008, the Scottish Local Authorities Remuneration Committee (SLARC) published its report on councillors' remuneration which contained a number of recommendations relating to Members' training, including a recommendation that all councillors should have a role description, participate in a training needs assessment and have a personal development plan. A role description for councillors, previously published by SLARC was detailed in appendix 1 to the report.

The SLARC report also recommended that councils should publish on their websites the number of councillors undertaking training and the type of training provided together with details of Members' salaries, allowances and expenses.

All Members were invited in April 2008 to participate in a training needs assessment. Twelve Members took up the invitation and commented on the training and development opportunities which they considered would help them in their role. As a result a training programme has been developed on the key topics identified and has been delivered over the last few months.

The Improvement Service's draft National Elected Member Development Strategy for Scottish Local Government recognises that nationally following the election held in May 2007, 45.9% of Members were newly elected and all but two councils administered by a coalition or minority administration. The Improvement Service is also piloting a Continuous Professional Development (CPD) Framework for elected Members based on 14 political skills grouped into 6 clusters, details of which were contained in the report.

The role and development of elected Members has been referred to in the Audit Scotland publication "Priorities and Risks Framework 2008/09-2010/11", which stresses the requirement to have the role and expected competencies of elected Members clearly defined.

The report proposed that elected Members be invited to participate annually in a training needs analysis which would involve the development and regular updating of a personal development plan. Once the outcome of the Improvement Service pilot on elected Members Continuous Professional Framework is known, a further report can be submitted for consideration by the Council. The report further proposed that details of the number of training sessions attended by elected Members is published on the website in April 2010.

The Executive agreed (a) to approve the introduction of a personal development planning (PDP) system for elected Members; (b) that the future training programme for Members be developed from the training needs analysis carried out; and (c) that the training attended by Members be published on the Council's website annually, with effect from April 2010.

5. Brodick Country Park and Gardens Project

Submitted report by the Chief Executive on a request from the National Trust for Scotland for additional funding to support Brodick Country Park and Gardens.

The Council currently provides financial support to the National Trust for Scotland (NTS) on an annual basis for Brodick Country Park and Gardens. The Trust, as a result of current financial constraints, has recently announced measures to close or otherwise curtail operations at a number of properties throughout Scotland. The Trust has written to the Council outlining its difficulties particularly in relation to the financial problems being experienced at Brodick.

The Corporate Director (Educational Services) has indicated to the Trust that it is not possible for the Council to increase the annual grant for Brodick, however the issues regarding the Brodick operation have been discussed at subsequent half yearly meetings with NTS.

Specific problems facing the Trust are the effects of storm damage and fungal infestation which has affected significant parts of the gardens, preventing public access. Funds totalling £44,000 have been diverted by the Trust to address the fungal problem and storm damage.

In view of the importance of Brodick Country Park and Gardens to Arran in terms of tourism, the report proposed that the Council provides assistance to the National trust through its Economic Development Service, offering support from the Council's marketing programmes in relation to the costs of developing NTS business activities through which it could increase income. In doing so, the Council would seek the support as appropriate from Highlands and Islands Enterprise and Skills Development Scotland. Furthermore the report proposed that the Council make a one-off contribution of £15,000 towards the special programme of action in the Country Park and Gardens.

The Executive agreed (a) to approve an additional, one-off, contribution of £15,000 to the Brodick Country Park and Gardens Project in financial year 2009/10; and (b) otherwise to maintain its annual grant to the National Trust for Scotland at the current level.

6. Burial Fees 2009-2012

Submitted report by the Corporate Director (Property Services) on proposed fees for burial services in North Ayrshire from 2009 to 2012.

The current burial fees were set by the Council in 2006 as part of a phased programme of increases aimed at bringing the Council's fee levels into line with the Scottish average. The current burial fee of £350 equates to 90% of the Scottish average of £383. The appendix to the report set out a proposed programme of increases covering the period 2009/10 to 2011/12 which will bring the Council's fee levels to just under the Scottish average by 2012. An additional fee of £325 for the installation of memorial benches has also been introduced, as outlined in appendix 1. The current surcharge of 100% for non-residents equating to 4.5% of the total income has been removed.

The Executive agreed to approve the fee structure for burials from 2009-2012, as set out in the appendix to the report.

7. Restructuring of Community Facilities Team

Submitted report by the Corporate Director (Property Services) on restructuring within the Community Facilities Team and the resultant impact on building cleaning services.

The Scheme of Delegation report submitted by Educational Services identified the requirement, in terms of efficiency and effectiveness, to merge two teams within the Community Facilities section and to create four area teams of caretakers to facilitate improved working arrangements within halls and community centres.

Prior to Job Evaluation, caretakers (ex CDC) were paid at a different grade from centre supervisors (ex SRC). In addition, caretakers' remit historically included cleaning duties. The Job Evaluation exercise provided the opportunity to redefine the roles and remits of the staff currently employed in these posts, placing them on the same grade and incorporating cleaning into their current working hours.

The report indicated that the intended transfer will take place by 1 April 2009 at which time Educational Services will have the necessary scheduling in place to ensure levels of cleanliness are maintained.

Noted.

8. National Funding to Local Authorities through the Revenue Support Grant from the Zero Waste Fund

Submitted report by the Corporate Director (Property Services) on confirmation of the settlement figures for North Ayrshire Council for financial years 2008/09 and 2009/10.

The Executive, at its meeting on 6 January 2009, considered a report on additional funding made available to Local Authorities through the Revenue Support Grant from the Zero Waste Fund in 2008/09. This funding was announced as part of the Government's spending plans for the period 2008-2011 on 15 November 2008, at which time the proposed expenditure for 2008/09 was £41.1m, for 2009/10 £54.4m and for 2010/11 £58.7. Delays in the allocation of the funding, and the fund being used to support other expenditure related to Zero Waste, have resulted in the amount available for distribution being significantly reduced to £19m, £29m and £34m in years 2008/09, 2009/10 and 2010/11 respectively.

The report to the Executive on 6 January 2009 detailed the additional allocation to North Ayrshire Council of £437,000 in 2008/09. The Scottish Government has now confirmed an allocation of £539,000 to the Council for £2009/10.

Discussion has already taken place with the Ayrshire Joint Strategic Waste Management Project Group concerning the need to employ a Project Manager with administrative and consultancy support to secure a residual treatment plant for all Ayrshire Councils. Full details were contained within the report.

The report proposed that the Zero Waste monies be used to upgrade the Kilbirnie Civic Amenity Site to a Recycling Centre at a one-off cost of £300,000 to assist towards the achievement of 2013 landfill diversion targets. The report also indicated that, in order to achieve recycling of composting targets set by the Government, it is likely that a collection service for food waste will require to be introduced at a later date. It was therefore proposed that Zero Waste Fund monies allocated to the Council be considered for the introduction of food waste trials in 2010 with capital costs of £65,000 in 2010 and ongoing costs of approximately £50,000.

The Executive (a) noted the financial provision made; and (b) agreed that the funding be made available for the projects identified in the report.

9. Tenders for Specialist Energy Surveys

Submitted report by the Corporate Director (Property Services) seeking approval to invite tenders for the provision of Energy Performance Certificates (EPCs) in Council Housing Stock.

From 4 January 2009 there has been a statutory requirement to carry out an energy survey and produce an Energy Performance Certificate (EPC) for any house which is sold or let, with a survey being carried out and EPCs being produced as required by the Energy Performance of Buildings (Scotland) Regulations 2008.

The surveys are procured through a short term contract limited to £30,000. In terms of the Council's Standing Orders for Contracts, elected Member approval is required for contracts for services over £150,000 prior to tenders being invited.

The report proposed that the Head of Infrastructure and Design Services be authorised to proceed with the procurement of the provision of EPCs through a Measured Term Contract for a three year period with the option of a two year extension thereafter, in line with European tendering regulations.

The Executive agreed to invite tenders for the provision of Energy Performance Certificates in Council Housing stock, as set out in the report.

10. Automatic Public Convenience Rental/Maintenance Agreements

Submitted report by the Corporate Director (Property Services) proposing an extension to the current rental/maintenance agreement for six automatic public conveniences in North Ayrshire.

The former Cunninghame District Council entered into an agreement with JC Decaux UK Limited for the rental and maintenance of six automatic public conveniences in Beith, Dalry, Glengarnock and various sites on Arran.

The original contract, which commenced on 1 April 1990, covered a 15 year period and expired on 1 April 2005. Leases were subsequently extended for a further five year period to 1 April 2010.

Discussions have taken place with JC Decaux UK Limited to extend the leases for a further 5 years based on a slightly reduced rental. All other terms and conditions would continue to apply.

The Executive agreed to extend the rental/maintenance agreements for six automatic public convenience units, for a further five year period, effective from March 2009.

11. Irvine: 2 Kirk Vennel

Submitted report by the Corporate Director (Property Services) on the proposed service of a Closing Order on the property at 2 Kirk Vennel, Irvine.

In terms of Section 114 of the Housing (Scotland) Act 1987, the Council has powers to serve Closing Orders where properties are found to be unfit for occupation.

Following an inspection of the terraced bungalow at 2 Kirk Vennel the property was found to be below the Tolerable Standard as defined by Section 86 of the Act, and the report proposed that a Closing Order be served on the owner of the property to prevent occupation.

The Executive agreed that in terms of Section 114 of the Housing (Scotland) Act 1987, a Closing Order be served on the owner of the property at 2 Kirk Vennel, Irvine.

12. Alteration to the East Ayrshire Local Plan Finalised Draft: East Ayrshire Council's Response to Objections

Submitted report by the Assistant Chief Executive (Legal and Protective) on the outcome of East Ayrshire Council's consideration of North Ayrshire Council's objections to its Local Plan and proposing that the Executive withdraws its objections to the Plan.

The Executive, at its meeting on 1 April 2008, considered a report on the Finalised Draft of the Local Plan Alteration. At that time, the Executive agreed to formally object to the Alteration to the East Ayrshire Finalised Local Plan in relation to (a) the size and nature of the new housing land allocations identified in the Local Plan Alteration, namely greenfield release sites, which significantly exceed the requirements set out in the approved Ayrshire Joint Structure Plan, and which could potentially be prejudicial to the interests of North Ayrshire Council particularly in respect of regeneration initiatives; and (b) the non-conformity of the Local Plan with the approved Ayrshire Joint Structure Plan, particularly in relation to Housing and Retail policies.

A copy of East Ayrshire Council response to these objections was received on 5 March 2009 advising that confirmation of the objections required to be returned by 17 April 2009.

The report advised that with regard to the objections to the two retail policies, these have been amended to conform with the Ayrshire Joint Structure Plan. In relation to the objections regarding housing land allocations, an explanation of the reasons leading to East Ayrshire's over-allocation of land for housing was detailed in the report.

The report proposed that the Council's objections to the Alteration to the East Ayrshire Local Plan now be withdrawn as the identification by East Ayrshire of additional housing sites over and above the Structure Plan allocation does not merit objection in that housing allocations largely meet the housing policy requirements of the Structure Plan in all respects other than total capacity. In addition, the Scottish Government considers that the higher allocation is justified in that it helps to address the aspiration for significantly increased rates of house building in Scotland.

The Executive agreed to withdraw the Council's objections to the Alteration to the East Ayrshire Local Plan Finalised Draft.

13. Tenant Satisfaction Survey

Submitted report by the Corporate Director (Property Services) on the results of the 2008 Tenant Satisfaction Survey.

The Council, through the Tenant Participation Strategy provides opportunities for tenants to express their views on housing and related issues. Previously the former Property Services Committee had agreed that the Service should periodically undertake a Tenant Satisfaction Survey to supplement the work already being undertaken to allow the Service to reach a wider audience.

The most recent survey was carried out in October 2008 and full details of the results were contained in appendix A to the report.

The overall satisfaction with North Ayrshire Council as a Landlord was high, with 94% of tenants satisfied with their landlord, representing an increase of 3 percentage points when compared with the results in 2006. While 88% of tenants were satisfied with their neighbourhood, this represented a decrease of 5 percentage points since 2006, with the main problems among those dissatisfied relating to anti-social behaviour, drink/drugs and youth disorder.

The Executive agreed (a) to accept the findings of the Tenant Satisfaction Survey; (b) that a summary of the findings be issued to tenants, staff and other stakeholders by June 2009; and (c) that an action plan be developed in early course to address areas with lower levels of satisfaction.

14. North Ayrshire Tenants and Residents Network

Submitted report by the Corporate Director (Property Services) on a proposed amendment to the Tenant Participation Strategy 2007-10 and on the implementation of the North Ayrshire Tenants and Residents Network.

The Housing (Scotland) Act 2001 introduced a duty on Local Authorities and Registered Social Landlords to produce a Tenant Participation Strategy. The Council's Strategy aims to highlight links between tenant participation and other Council plans and strategies and links to the Single Outcome Agreement aim of increasing voluntary action and community involvement.

The Executive, in January 2008, approved the reviewed Strategy for 2007/10 which was based on feedback and comments received at a Tenant Participation Day held in 2006. Through the review of the Strategy, the Council agreed to implement Divisional Groups, which would enable tenants and resident representatives to be involved at a Divisional level to allow engagement on a more strategic level, while local issues would continue to be pursued by tenants groups at their routine meetings.

At a meeting in October 2008 to implement the Divisional Groups, tenants and resident representatives decided to have one main Network for consultation. The remit of the Network was detailed in the report, with the constitution contained in an appendix thereto.

The report proposed that the amendments to the Tenant Participation Strategy 2007/10 be approved and the North Ayrshire Tenants and Residents Network be implemented.

The Executive agreed to approve (a) the amendment to the Tenant Participation Strategy 2007-2010 as indicated in the report; and (b) the implementation of the North Ayrshire Tenants and Residents Network.

15. Investing in Affordable Housing: Consultation Response

Submitted report by the Corporate Director (Property Services) on the Council's response to a Scottish Government Consultation on reform of Affordable Housing Investment Funding (AHIF).

The Scottish Government commenced consultation on reform of the allocation of Affordable Housing Investment Fund (AHIF) during the summer of 2008 with a series of regional seminars for registered social landlords, local authorities and other stakeholders. The proposals put forward represent the final part of a suite of reforms contained under the Scottish Government's 'Firm Foundations' review of national housing policy. The key proposals within the consultation were detailed in the report.

The report indicated that there were a number of issues within the Scottish Government's proposals which require further clarification before stakeholders could properly evaluate the new funding regime, particularly with regard to risk, consortia, geography and rents. In addition the timetable for reform was outlined in the report.

The Council's proposed response to the Consultation, and draft response to the 24 questions posed therein, was detailed in an appendix to the report. The report further indicated that while there were no direct financial implications for the Council arising from the proposals, there would be a longer term impact on the SHIP programme in terms of future regional allocation of Scottish Government affordable housing subsidy.

The Executive, in noting the key proposals from the Scottish Government's consultation (a) agreed that appendix 1 to the report be submitted to the Scottish Government as the Council's response; and (b) noted the implications for the North Ayrshire Strategic Housing Investment Programme (SHIP) that forms a key part of the Local Housing Strategy.

16. Introduction of (1) A Housing Services Specific Equality and Diversity Policy and (2) A Housing Services Specific Accessibility Policy

Submitted report by the Corporate Director (Property Services) on the introduction and implementation of the above-mentioned policy documents.

North Ayrshire Council, in terms of its Corporate Equal Opportunities Policy is committed to upholding the principle of equality of opportunity, promoting measures to reduce inequalities and providing services which are accessible to everyone and which meet the differing needs of service users. The Single Outcome Agreement commits the Council to tackling discrimination in all its activities and ensuring that services are accessible to everyone.

The Housing Services Equalities Working Group was introduced to ensure that the corporate policies indicated above were being met within Housing Services, and to work towards achieving the Scottish Housing Regulator's Performance Standard GS2.1.

In order to ensure equality and diversity measures are effectively mainstreamed within Housing Services, it is recognised that the broad corporate commitments are translated into specific equality commitments for Housing Services. In this regard, the draft Housing Services Specific Equality and Diversity Policy and the Housing Services Specific Accessibility Policy were contained in appendices to the report.

The Executive agreed to approve the introduction and implementation of the Housing Services Specific Equality and Diversity Policy and the Housing Services Specific Accessibility Policy as set out in appendices 1 and 2 to the report.

17. Saltcoats: James Reid School: Internal Alterations

Submitted report by the Corporate Director (Property Services) on tenders received for the internal alterations at James Reid School, Saltcoats.

The Executive agreed to approve acceptance of the tender submitted by William Skinner and Son, Ayr, in the sum of £506,588.32 as set out in the report.

The meeting ended at 3.05 p.m.