

Cabinet
11 June 2013

Irvine, 11 June 2013 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m. in Cunninghame House, Irvine .

Present

Willie Gibson, Alan Hill, Tony Gurney, John Bruce, Marie Burns, Anthea Dickson and Alex Mclean; E. Higton, M. Fraser and Very Reverend M. Canon McManus (Church Representatives); and E. Hawthorn and N. McDonald (Youth Representatives)

Also Present

John Bell and Alex Gallagher.

In Attendance

E. Murray, Chief Executive; L. Friel, Corporate Director, Y. Baulk, Head of Finance and Property, D. Tate, Senior Manager (Housing, Assets and Investments) and A. Blakely, IT Manager (Finance and Corporate Support); C. Kirk, Corporate Director, M. Docherty, Head of Education (3-18), L. Taylor, Senior Manager (Resources and Infrastructure) and D. Carracher, Senior Manager (Inclusion) (Education and Skills); I. Colvin, Corporate Director and A. Adrain, Divisional Manager (HQ) (Social Services and Health); C. Hatton, Corporate Director and K. Yeomans, Head of Development Planning (Development and Environment); E. McDonald, Communications Officer and M. Anderson, Committee Services Officer (Democratic and Administration Services) (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Gordon Smith (Teaching Representative)

1. Declarations of Interest

In terms of Standing Order 16 and Section 5 of the Code of Conduct for Councillors, Councillor Hill, as a member of Fairlie Community Sports Club, declared an indirect non-pecuniary interest in Agenda Item 7 (Fairlie Tennis Club). Councillor Burns, as a Trustee of North Ayrshire Ventures Trust, declared an indirect, pecuniary interest in Agenda Item 10 (Procurement of Third Party Share of North Ayrshire Ventures Limited).

2. Minutes

The accuracy of the Minutes of the previous Cabinet, held on 28 May 2013, was agreed and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Outcome of the Consultation on Future Non-Denominational Education Provision for Children of Primary and Early Years Residing Within the Catchment of Moorpark Primary School and Glengarnock Primary School

Submitted report by Corporate Director (Education Skills) which (i) provided information on the outcome of the statutory public consultation affecting Moorpark and Glengarnock Primary Schools, which was undertaken in terms of the Schools (Consultation) (Scotland) Act 2010; and (ii) invited the Cabinet to consider the three options set out at Section 6.1 of the report.

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

- the capacity to accommodate future placing requests for Moorpark Primary School;
- the incidence of 'floating' catchment zones in North Ayrshire and elsewhere;
- the rationale and financial implications of retaining Moorpark Primary School in the light of the new community hub; and
- the current placing preferences of those within the 'floating' catchment zone.

Members expressed their appreciation of the work carried out by the Senior Manager (Resources and Infrastructure) pending the appointment of the new Head of Service Development (Education and Skills).

The Cabinet agreed that Moorpark Primary School remain open and the catchment areas for both Moorpark and Glengarnock Primary Schools be re-zoned.

4. Improving the Sciences and Mathematics in North Ayrshire Schools

Submitted report by Corporate Director (Education and Skills) which (i) provided information on the results of a benchmarking exercise highlighting the uptake of S5 pupils and higher in the Sciences and Mathematics, post-appeal; and (b) outlined the approaches being taken to improve the uptake and performance of pupils in these subjects.

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

- the value of encouraging an interest in the sciences and engineering at primary school;
- staffing issues surrounding the teaching of the sciences; and
- the role of industry in highlighting engineering as a career option for pupils.

The Cabinet agreed to (a) note the information presented; and (b) receive regular, annual updates, post-appeal.

5. Employer Engagement and Supporting Young People Into Work

Submitted report by Corporate Director (Education and Skills) which (i) provided information on the development of a range of work-ready educational experiences and industry recognised qualifications for young people whose aspiration is to progress directly from school into employment; (ii) gave details of the secondment of a teacher to development relationships with the business community, project manage the development of new courses and associated resources and take a lead in ensuring that these are ready for full implementation in August 2014; and (iii) highlighted the anticipated outcomes.

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

- the Service's ability to deliver on the ambitious targets set;
- the mutual benefit to employer and employee of work experience and the Modern Apprenticeship programme;
- the importance of raising the profile and perceived value of vocational qualifications; and
- the range of vocational qualifications on offer.

Noted.

6. General Teaching Council for Scotland Revised Professional Standards

Submitted report by Corporate Director (Education and Skills) which (i) presented information on how the national development of professional standards for teachers will influence local arrangements and enhance provision for teachers and young people; and (ii) outlined the implementation of the Standards at a local level, including the piloting of professional update in two school clusters in partnership with the General Teaching Council for Scotland.

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

- feedback from the visit by the General Teaching Council of Scotland in May 2013;
- the need to recognise not only teachers' academic qualifications, but their commitment to, and investment in, extra-curricular activities within the school; and
- the importance of providing qualifications in middle leadership.

The Head of Education (3-18) undertook to provide Members with further information on the Middle Leadership learning opportunities.

The Cabinet agreed (a) to note that that a further report would submitted to the Cabinet in September/October 2013 on the range of leadership and management opportunities in schools; and (b) otherwise to note the content of the report.

7. Fairlie Tennis Club, Castlepark Drive, Fairlie

Submitted report by Corporate Director (Finance and Corporate Support) on (a) plans by a newly formed Fairlie Community Sports Club to make better use of the land shown at Appendix 1 to the report and provide sporting facilities for the local community; and (b) the proposed lease of the ground in question to Fairlie Community Sports Club.

The Cabinet agreed to approve a 25-year ground lease to Fairlie Community Sports Club, at an annual rental charge of £500 and subject to 5-yearly reviews.

8. Property Factors (Scotland) Act 2011

Submitted report by the Corporate Director (Finance and Corporate Support) which (i) provided information on progress being made in developing a Property Factoring service; (ii) gave details of a planned public consultation process between August and October 2013; (iii) proposed the setting of a financial threshold for undertaking repairs without prior consultation with homeowners; and (iv) recommended the introduction of an administration/management charge to those homeowners benefitting from the service.

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

- the appropriateness of the level of administration/management charge proposed, particularly when applied to high value repairs;
- the feasibility of introducing 'floats' as a means of keeping in place funds for repairs;
- the current level of bad debt associated with repairs; and
- the varying provision within individual Title Deeds for charging for repairs.

The Cabinet agreed (a) to note progress that is being made in developing and delivering a Property Factoring service in-line with the Property Factors (Scotland) Act 2011; (b) to note progress on the proposed methods of consultation with private home owners affected by the introduction of this service; (c) to approve the consultation threshold at a level of £250 per owner; and (d) that the Corporate Director (Finance and Corporate Support) submit a further report to the next meeting of the Cabinet on the proposed introduction of an administration/management charge.

9. Kirktonhall, 1 Glen Road, West Kilbride

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) provided information on Kirktonhall Business Centre Group as the preferred transferee in respect of Kirktonhall, West Kilbride; and (b) recommended that the property, together with the Kirktonhall sundial, be transferred to the Group on the basis of a nominal transfer value of £1.

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

- whether the proposed addition of the sundial would impact upon the transfer value of the site;
- the current value of the sundial and safeguards for its future;
- the criteria to be met before the Council can transfer assets for less than the market value; and
- the arrangements to be put in place to return the property to the Council in future, if necessary.

The Head of Finance and Property undertook to provide Members with further information on the criteria to be met in terms of the Disposal of Land by Local Authorities (Scotland) Regulations 2010 to allow the Council to transfer assets for less than the market value.

The Cabinet agreed (a) to approve the transfer of Kirktonhall and the sundial to Kirktonhall Business Centre Group for £1, subject to (i) grant funding being secured and (ii) a sufficiently robust business case being made available to the Council; and (b) that Officers (i) continue to liaise with the Group and (ii) agree conditions and dates for transfer when funding is obtained to restore the building.

10. Procurement of Third Party Share of North Ayrshire Ventures Limited

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) provided information on North Ayrshire Ventures Limited (NAVL), a company jointly owned by EDI and North Ayrshire Ventures Trust (NAVT), which owns assets at Kyleshill, Saltcoats and Pennyburn Road, Irvine; and (b) recommended the provision of a loan to NAVT to secure full ownership of NAVL and secure the underlying assets.

Members asked questions, and received clarification, on the rationale for the proposals.

The Cabinet agreed to (a) note the procurement of EDI's share of NAVL by NAVT; (b) note the loan default which occurs as a result of the sale by EDI; (c) note the proposed transfer of assets from NAVL to NAVT; (d) note the approach which NAVT plans to take to deliver its core objectives which strongly aligns with the Council's Economic Development and Regeneration Strategy; and (e) agree to provide funding to the value of £2.046m (as at 15 June 2013).

11. ICT Strategy 2011-16

Submitted report by Corporate Director (Finance and Corporate Support) which provided information on progress on the ICT Strategy 2011-16 and, in particular, the delivery of network improvements, tenders to implement further network enhancements, the strategic assessment of all major applications, investment in a virtual server environment, the replacement of desktop devices, and the Council's redesigned website.

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

- whether migration to the virtual server had had any adverse impact on the speed of connection to the network;
- the timescale for linking HNS FACE with the Council's Carefirst;
- whether the Council's Report It app could be made available for Blackberry devices; and
- the potential for increasing the use of video-conferencing.

The Cabinet agreed to (a) note progress in respect of the ICT Strategy 2011-16; and (b) receive reports on progress every 6 months.

12. North Ayrshire Older People's Housing Strategy

Submitted report by Corporate Director (Social Services and Health) which (a) provided information on the work of the Older People's Housing Strategy Working Group which was established to progress the development of the mainland North Ayrshire Older People's Housing Strategy; and (b) sought approval of the Strategy.

The Cabinet agreed to approve the mainland North Ayrshire Older People's Housing Strategy set out at Appendix 1 to the report.

13. Consultation on Delegation of Local Authority Functions - Mental Health (Care and Treatment) (Scotland) Act 2003 and Adults with Incapacity Act 2000

Submitted report by the Corporate Director (Social Services and Health) which (a) outlined the Scottish Government's consultation on the delegation of Local Authority functions in respect of the Mental Health (Care and Treatment) (Scotland) Act 2003 and Adults with Incapacity Act 2000; and (b) sought approval of a proposed response to the consultation.

The Cabinet agreed to (a) approve North Ayrshire Council's consultation response being in line with the Association of Directors of Social Work (ADSW) response, as set out at Section 3 of the report; and (b) the North Ayrshire Council consultation process involving North Ayrshire Council Mental Health Officer service.

14. Social Care (Self Directed Support) (Scotland) Regulations 2014

Submitted report by the Corporate Director (Social Services and Health) which (a) outlined the Scottish Government consultation on the Social Care (Self Directed Support) (Scotland) Regulations 2014; and (b) sought approval of a proposed response to the consultation.

The Cabinet agreed to approve the response to the consultation on the Social Care (Self Directed Support) (Scotland) Regulations 2014, as set out in Section 3 of the report.

15. Town Centre Regeneration

Submitted report by the Corporate Director (Development and Environment) which (a) provided information on a number of proposed Town Centre Regeneration activities across North Ayrshire over the next 5 years; and (b) sought approval for the suggested approach set out in the report.

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

- the populations of Ardrossan and Saltcoats;
- the provision of updates to Area Committees on regeneration activity; and
- whether regeneration attention should be focussed on towns other than the established population centres of Irvine and Saltcoats.

The Head of Development Planning undertook to provide Members with the latest population figures for Ardrossan and Saltcoats.

The Cabinet agreed to (a) an approach based principally on regenerating the two major centres of population, Irvine and Saltcoats; (b) approve the development of a series of master plans supporting the regeneration of Irvine and Saltcoats; (c) acknowledge the requirement to support wider Town Centre activities across North Ayrshire based on identified themes and priorities; and (d) develop an approach to dealing with vacant and derelict land and properties.

16. Establishing an Inward Investment Service for North Ayrshire

Submitted report by the Corporate Director (Development and Environment) which (a) presented information on the potential to develop a competitive offer to attract inward investors to North Ayrshire; and (b) sought recognition of the requirement to develop an Inward Investment Strategy.

The Cabinet agreed that an Inward Investment Strategy be developed.

17. Business Support

Submitted report by the Corporate Director (Development and Environment) which (a) provided an update on the proposals presented by the Economic Development and Regeneration Board to encourage business growth; and (b) presented proposals for a new approach to business support.

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

- the benefits of adopting a more proactive approach to supporting business growth;
- the feasibility of the timescale for the proposed major business event in October 2013; and
- the role of Irvine Bay Regeneration Company.

The Cabinet agreed to the new approach to business support through the implementation of the actions set out at Section 3 of the report.

18. Grant Offers for Outdoor Access Projects in the Financial Year 2013-14

Submitted report by the Corporate Director (Development and Environment) which (a) presented information on the outcome of funding applications for a number of projects to improve the outdoor path network in 2013/14; and (b) advised of arrangements to identify and apply for funding in respect of such projects in 2014-15 onwards.

The Cabinet agreed to (a) note the grant funding bids submitted, as detailed at Appendix 1 to the report; (b) approve the acceptance and expenditure of the grant offers from Sustrans's Community Links Fund, SPT's Capital Fund and any future grant offers from SPT, as set out in Appendix 1 to the report; and (c) remit to the Corporate Director (Development and Environment) to identify potential projects for 2014/15 onwards (in partnership with Elected Members, local communities, internal Council Services and the North Ayrshire Outdoor Access Forum) and apply for funding for 2014-15 onwards.

19. Millport Marine Biological Station

Submitted report by the Corporate Director (Development and Environment) which (a) sought agreement to support the Field Studies Council as the Council's preferred operator of the Millport Marine Biological Station; and (b) recommended pursuing Heritage Lottery Funding for investment in the Millport Conservation Area.

The Cabinet agreed to (a) the principle of Field Studies Council operation of the station as the most sustainable use; (b) the nature of potential North Ayrshire Council support to deliver the proposal including financial support and the potential for Council ownership of the station; and (c) the preparation and submission of a bid for Townscape Heritage Initiative Funding for the Millport Conservation Area.

20. Audit Scotland Report: An Overview of Local Government in Scotland 2013

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) summarised the findings of the recent Audit Scotland report on Local Government in Scotland; (b) provided information on the current position in North Ayrshire; and (c) presented further actions being taken to address the issues identified within the Audit Scotland report.

The Corporate Director (Finance and Corporate Support) undertook to circulate a copy of Appendix 2 to the report to all Members for information.

Noted.

21. Pan Ayrshire Joint Equipment Service

Submitted report by the Corporate Director (Social Services and Health) which sought approval to develop a tender for an Ayrshire wide Joint Equipment Store on a negotiated contract basis in partnership with South and East Ayrshire Councils and NHS Ayrshire and Arran.

The Cabinet agreed (a) to a partnership approach led by North Ayrshire Council to the development and publishing of an Invitation to Tender document for a Joint Equipment Store; (b) to a "negotiated contract with competition" approach with the highest evaluated tender submission to fully develop a business case for development of an Ayrshire wide Joint Equipment Store; (c) that the findings of the negotiations and Business Case be presented to a future Cabinet for consideration; and (d) to receive a further report at a future meeting.

22. Council House Development Project: John Galt Primary School, Irvine

Submitted report by the Corporate Director (Social Services and Health) which sought approval to tender and appoint a Contractor for the demolition of John Galt Primary School and to tender for a Contractor from the approved Council house building framework to construct 80 new houses on the cleared site.

The Cabinet agreed to (a) tender and appoint a Contractor for the demolition of John Galt Primary School; and (b) tender for a Contractor for the John Galt development from the Council house building framework of Contractors to construct 80 new houses on the site.

23. Measured Term Contract, Bitumen Felt Roofing - Tender Outcome

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) provided information on the results of the tender exercise for bitumen felt roofing; and (b) made a recommendation in terms of the award of the contract.

The Cabinet agreed to approve the contract award to Frank O'Hara Limited trading as Faskin Contracts based on a total contract value of £555,000.

24. Framework Agreement for Electrical Rewiring - Award of Call Off Contract

Submitted report by the Corporate Director (Finance and Corporate Support) which (a) presented the results of a tender exercise for a call off against the framework agreement for electrical rewiring; and (b) made a recommendation in terms of the award of the contract.

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

- the disparity between the tender amounts; and
- the quality element of the contract.

The Cabinet agreed to approve the contract award to GD Chalmers based on a contract value of £842,779.

25. Ayrshire Economic Partnership: Minutes of Meeting held on 17 April 2013

Submitted report by the Corporate Director (Development and Environment) on the Minutes of Meeting of the Ayrshire Economic Partnership held on 17 April 2013.

Noted.

26. Economic Development Regeneration Board: Minutes of Meeting held on 24 April 2013

Submitted report by the Corporate Director (Development and Environment) on the Minutes of Meeting of the Economic Development Regeneration Board held on 24 April 2013.

Noted.

27. Community Empowerment Policy Board: Minutes of Meeting held on 7 May 2013

Submitted report by the Corporate Director (Education and Skills) on the Minutes of the Meeting of the Community Empowerment Policy Board held on 7 May 2013.

Noted.

28. Urgent Item

The Chair agreed that the undernoted be considered as a matter of urgency to allow the proposed action to be taken without delay.

28.1 Proposed Ayrshire Roads and Transportation Shared Services

Submitted report by the Chief Executive which (a) provided information on progress in terms of the proposed Ayrshire Roads and Transportation Shared Service; and (b) made recommendations in terms of actions in terms of not proceeding with the shared service at this point and instead developing more detailed proposals to improve the Council's Roads Service.

Members asked questions, and received clarification, on any impact the proposed action might have on other shared services work.

The Cabinet agreed (a) to note the good work undertaken by the three Ayrshire Councils to analyse the potential for an Ayrshire Roads and Transportation Shared Service; (b) not to proceed with the Ayrshire Roads and Transportation Shared Service at this point to allow the Council to drive improved financial efficiency from the Council's own service and develop the new service as outlined in Sections 2.6 - 2.9 of the report; and (c) that it be remitted to the Corporate Director (Development and Environment) to bring back more detailed proposals on the improvements to be made to the Council's Roads Service in early course.

The meeting ended at 5.05 p.m.