

Audit and Scrutiny Committee
29 January 2019

IRVINE, 29 January 2019 - At a Meeting of the Audit and Scrutiny Committee of North Ayrshire Council at 10.00 a.m.

Present

Marie Burns, Margaret George, Joy Brahim, Tom Marshall and Donald Reid.

Also Present

Davina McTiernan.

In Attendance

C. Hatton, Chief Executive, L. Friel, Executive Director, M. Boyd, Head of Finance, P. Doak, Senior Manager (Internal Audit, Risk and Fraud), D. Miller, Complaint and Feedback Manager, R. Kennedy, Benefit Services Team Leader and A. Fox, Digital Team Manager (Finance and Corporate Support); K. Yeomans, Executive Director, C. McAuley, Head of Service (Economic Growth) and L. Kirk, Active Travel and Transport Manager (Economy and Communities); Y. Baulk, Head of Physical Environment and R. McGilvery, Housing Operations Manager (Place); A. McClelland, Head of Service (Learning, Teaching and Curriculum) (Education and Youth Employment); E. Currie, Principal Manager (Finance) (Health and Social Care Partnership); and A. Fraser, Head of Democratic Services, A. Todd, Senior Policy and Performance Officer and A. Little, Committee Services Officer (Chief Executive's Service).

Also in Attendance

Jim McKerrell and Amanda Connelly (TOA Taxis).

Chair

Councillor Burns in the Chair.

Apologies

Alan Hill and John Sweeney.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the meeting of the Audit and Scrutiny Committee held on 20 November 2018 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Petition – Bus Lane, Stevenston

Submitted report by the Chief Executive on the terms of a petition of 518 signatures received in support of a request from TOA Taxis “to amend the Traffic Order to a Bus, Taxi and Cycle Lane in line with every other Scottish Council and allow Hackney Licensed Taxis to use the lane at Kilwinning Road, Stevenston”.

A briefing paper, attached at Appendix A to the report, provided background information on the Quality Public Transport Corridor between Ardrossan and Kilmarnock that included the creation of a bus lane on the A738 Kilwinning Road, Stevenston between the Pennyburn and Hayocks roundabouts. Requests from TOA Taxis to amend the Traffic Regulation Order (TRO) to enable taxis to use the bus lane were rejected in 2008 and 2018 and the reasons for this were outlined within the paper. Information on traffic surveys undertaken on 5 and 8 January 2019 was detailed at Appendix B to the report. The briefing paper also outlined the options available to the Council, namely (a) to uphold the previous decisions and reject the request or (b) pursue the inclusion of taxis within the bus lane.

The principal spokesperson, Mr McKerrell (TOA Taxis) stated that the retail park at Hawkhill had grown in size, attracting more customers, and whilst the area is served by bus services, there is no direct bus service from Hayocks or the lower part of Stevenston to the retail park. Residents from these areas who use buses therefore rely on taxis to transport them to and from the retail park. The request to use the bus lane would not require to be for the whole bus lane corridor but for the area from the cemetery to Hawkhill roundabout.

Mr McKerrell questioned the survey results which did not match TOA records of the taxi journeys to and from the retail park during this time. He commented that there is lower usage of taxis in January following the festive period. He felt the general public should be asked for their views because they are meeting the cost of longer journeys to and from this area.

Ms Connelly (TOA Taxis) referred to licensing guidance provided by the Scottish Government, that stated that waiting times and peaks in demands should be taken into consideration by the local authority. Short journeys in this area should take around 10 minutes, however due to traffic congestion, the journeys to and from the retail park can take 20 minutes. Drivers are taking their meal/breaks at the peak times (3pm- 6pm) in order to avoid the congestion in this area, making it difficult to meet customer demand.

Taxi drivers from other areas who are not aware of the restrictions at Hawkhill, use the bus lane believing they are permitted to do so. Mr McKerrell suggested allowing Hackney Licenced Taxis to use the bus lane from the cemetery to Hawkhill roundabout for a trial period, during which time he would monitor usage of this part of the bus lane by his drivers.

Members asked questions and were provided with further information in relation to:-

- TOA Taxis' provision of almost 50% of Hackney Taxis in area 2 of North Ayrshire;
- private hire cars which have to be prebooked and cannot pick up hires from the street or taxi stance;
- the terms of the petition, which did not include use of the bus lane by private hire cars;
- the visible roof sign on TOA Taxis which makes them clearly identifiable to customers, albeit roof signs were not universal to all North Ayrshire taxis; and
- customers' understanding of whether they were booking a taxi or private hire car.

The Active Travel and Transport Manager provided background information on the creation of the bus lane between the Pennyburn and Hayocks roundabouts, previous requests from TOA to amend the TRO to allow use of the bus lane, concerns and potential objections raised by SPT, objections from Stagecoach West Scotland and the reasons for refusal of these requests. The traffic survey undertaken in January 2019 detailed the number of taxis and buses that entered and exited Hawkhill Retail Park and recorded a greater number of Private Hire cars than Hackney taxis.

Options available to the Council were outlined and included (a) uphold the previous decisions and reject the request to allow taxis to use the bus lane on the basis of the previous positions and (b) pursue the inclusion of taxis within the bus lane through the promotion of a modification to the Traffic Regulation Order by (i) promoting an Experimental TRO or (ii) promoting an amendment to the existing TRO.

Members asked questions and were provided with further information in relation to:-

- funding provided by SPT for the creation of the bus corridor and the historic wording of the TRO to exclude taxis and cyclists; and
- concerns and potential objections highlighted by SPT to the use of the bus lane corridor and that their position on a revised proposal by TOA to only use part of the bus lane from the cemetery to Hawkhill roundabout is not known at this time.

Councillor Brahim, seconded by Councillor George moved that the Committee remit to the relevant Officers to further investigate the Experimental Traffic Regulation Order option alongside complementary measures to improve the traffic flow and ease congestion within this localised area. (The outcome of this will be reported to Cabinet for a recommendation thereafter). There being no amendment, the motion was declared carried.

4. Quarter 2 Performance Report

Submitted report by the Chief Executive on the progress of the 2018/19 Directorate Plans as at 30 September 2018, including a number of highlight which underpin the key priorities and areas for focus for the next 6 months. The reports for each Directorate were set out in Appendices 1 – 6 to the report.

Members asked questions and were provided with further information in relation to:-

Democratic Services

- corporate communications and staff engagement surveys which show a further increase in staff satisfaction with internal communication.

Economy and Communities

- information that will be provided to Members on the attendance of the Scottish Basic Income Feasibility Study Steering Group at the Basic Income Earth Network Congress at the University of Tampere; and
- the impact of Brexit on local companies.

Education and Youth Employment

- the further flexibility which secondary schools will have to design a curriculum model, in consultation with stakeholders, that reflects their own context, curriculum rationale and meets the needs of all learners; and
- PEF funding information that will be circulated to Members of the Committee.

Health and Social Care Partnership

- the red and amber status illustration for each authority in respect of emergency admissions and delayed discharges; and
- fluctuations in the care at home capacity lost due to cancelled hospital discharges that can be as a result of seasonal factors, staff availability and changes in the health of the individual.

The Committee agreed (a) that the Executive Director (Economy and Communities) provide information to Members on the attendance of the Scottish Basic Income Feasibility Study Steering Group at the Basic Income Earth Network Congress at the University of Tampere; (b) that the Head of Service (Learning, Teaching and Curriculum) provide information on PEF funding to Members of the Committee; (c) to continue to receive a presentation from each Executive Director on their Directorate report in future; and (d) to otherwise note the report.

5. Internal Audit Reports Issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Internal Audit work completed during November and December 2018. Appendix 1 to the report detailed the areas where internal control reviews had been undertaken and provided the executive summary and action plan for each audit.

Noted.

6. Operational Budget Management

Submitted report by the Director of the Health and Social Care Partnership on the projected financial outturn for the financial year as at October 2018. Appendix A to the report provided the financial overview of the partnership position. Detailed analysis was provided in Appendix B, with full details of savings provided at Appendix C. Appendix D outlined the progress of the Recovery Plan and Appendix E highlighted the movement in the overall budget.

Members asked questions and were provided with further information in relation to:-

- work that is continuing to achieve a break even budget position; and
- challenges in attracting care at home staff as a result of the population demographics on Arran; and
- additional staffing required at Montrose House to meet demand.

The Committee agreed (a) that the Director (Health and Social Care Partnership) provide a presentation to the Committee on the budget for 2019/20, once funding levels have been agreed; and (b) to otherwise note the report.

7. Housing Services Annual Performance Update

Submitted report by the Head of Services (Physical Environment) which provided an overview of Housing Services' performance against the Scottish Government's Social Housing Charter indicators for 2017/18. Scotland's Housing Network's Performance Analysis Report was attached at Appendix 1 to the report. Appendix 2 detailed the key findings of the 2018 Tenant Satisfaction Survey undertaken in August 2018.

Members asked questions and were provided with further information in relation to:-

- a range of methods to communicate with tenants and efforts to encourage paperless methods;
- further information that will be provided on whether communication by email is available to tenants; and
- clarification that will be provided on the levels recorded for rent collection and rent arrears.

The Committee agreed (a) that the Housing Operations Manager provide information to Members on (i) whether email as a paperless option is available to tenants and (ii) clarification on rent collection and rent arrears levels; and (b) to otherwise note the report.

8. Brexit Quarterly Update

Submitted report by the Chief Executive on the work the Council is doing in preparation for Brexit and the risks to North Ayrshire associated with a Negotiated Deal and a No Deal Brexit. The Council's Brexit Preparedness document, detailing the main issues facing North Ayrshire and the actions or mitigations to be taken was attached at Appendix 1 to the report.

Noted.

9. Social Media and On Line Reporting

Submitted report by the Executive Director (Finance and Corporate Support) on the online reporting of faults and the communication of service disruption. The report outlined the issues that had been experienced with the Council's Report It App and Twitter and temporary and new solutions that are being developed to resolve these.

Noted.

10. Audit Scotland Housing Benefit Performance Audit Annual Update

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Audit Scotland's review of Housing Benefit Performance for 2017/18. The full report had been circulated to Members on publication. Appendix 1 to the report outlined the key risks relating to business planning and performance reporting, accuracy levels and interventions.

Members asked questions and were provided with further information in relation to:-

- the calculation of the maximum deduction from a claimant's Benefit by the DWP for the recovery of overpayment of Housing Benefit, Tax Credit and Universal Credit; and
- an Affordability Test that is undertaken by the Housing Benefit Service to assess whether individuals could contribute more than the DWP assessment, towards settling the overpayment of Housing Benefit, or contribute over a longer period of time.

Noted.

11. 2018 Half Yearly Complaint Report

Submitted report by the Executive Director (Finance and Corporate Support) on the Council's complaint performance. Appendix 1 to the report provided statistical data and information on the range and volume of complaints at all stages of the complaints process.

Members asked questions and were provided with further information in relation to policy complaints that are not upheld where the service has followed the policy and the complaint relates to the policy rather than the service provided.

Noted.

The meeting ended at 12.15 p.m.