

Cabinet
14 March 2017

IRVINE, 14 March 2017 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Joe Cullinane, John Bell, Alex Gallagher and Louise McPhater.

In Attendance

E. Murray, Chief Executive; C. Hatton, Executive Director, Y. Baulk, Head of Service (Physical Environment), R. McCutcheon, Head of Service (Commercial) D.Hammond, Senior Manager, L.Cree, Senior Manager (Property Management and Investment) and C. Dempster, Team Manager (Place); L. Friel, Executive Director,, D. Forbes, Senior Manager (Financial Management, P.Doak, Senior Manager (Internal Audit, Risk and Performance) and M. McTeague, Category Manager/Team Leader (Supplies and Services) (Finance and Corporate Support); D. Rowland, Head of Service (Health and Community Care) (Health and Social Care Partnership); K. Yeomans, Executive Director, J. Miller, Senior Manager (Planning) and A. Laurenson, Team Manager (Regeneration)(Economy and Communities); A. Hale, Equality and Health Policy Officer, J. Hutcheson, Communications Officer, M. Anderson, Committee Services Team Leader and H. Clancy, Committee Services Support Officer (Chief Executive's Service).

Chair

Councillor Cullinane in the Chair.

Apologies for Absence

Peter McNamara and Jim Montgomerie.

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. Order of Business

The Chair, in terms of Standing Order 9.3, agreed to vary the order of business to allow earlier consideration of Agenda items 17 (Exclusion of the Public) and 17.1 (Wind Down of Irvine Bay Regeneration Company and Transition Arrangements).

3. Minutes

The accuracy of the Minutes of the Ordinary Meeting held on 28 February 2017 and the Special Meeting of the Cabinet held on 1 March 2017 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973, subject to the following amendment in respect of Agenda item 9 (Award of the Framework - Provision of Person Centred Community Support for Children/Young People with a range of disabilities and needs) of the Minute of the Ordinary Meeting, to reflect that the Cabinet agreed to award the Framework to Rainbow Services in addition to the Richmond Fellowship Scotland, the Mungo Foundation, Sense Scotland and Ayrshire Children's Services.

4. Exclusion of the Public

Cabinet resolved in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following items of business on the grounds indicated in terms of Paragraphs 8 and 10 of Part 1 of Schedule 7A of the Act.

4.1 Wind Down of Irvine Bay Regeneration Company and Transition Arrangements

Submitted report by the Executive Director (Economy and Communities) on the wind down of the Irvine Bay Regeneration Company.

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

- progress on the Ayrshire Growth Deal and the next steps in the process;
- the likely cost to North Ayrshire Ventures Trust of managing the facilities referred to in Section 2.11 of the report; and
- the impact of the proposals on the total number of staff working on regeneration development in North Ayrshire.

The Cabinet (a) agreed to (i) enter into a transfer agreement to be signed by the Council, the Scottish Government, Irvine Bay Regeneration Company and North Ayrshire Ventures Trust; setting out the terms on which assets and liabilities will transfer to North Ayrshire Ventures Trust, (ii) the terms of purchase of land at the former NACCO site, Irvine and land at Ardrossan Quayside from the Irvine Bay Regeneration Company and (iii) the terms of purchase from Irvine Bay Regeneration Company of their 50% share in Ardrossan North Beach LLP; and (b) note (i) the progress made by the Irvine Bay Regeneration Company since its inception and through their legacy business plan, (ii) proposals for the transfer of Irvine Bay Regeneration Company assets (properties and finance) remaining at wind up to North Ayrshire Ventures Trust and (iii) proposals for a review of the future delivery of regeneration priorities and functions by the Council.

5. Equality Mainstreaming and Equality Outcomes Report

Submitted report by the Chief Executive on the Equality Mainstreaming Report for 2015/2016 and the Equality Outcomes Report and Action Plan 2017-2021. The mainstreaming and outcomes reports were set out at Appendices 1 and 2 to the report.

Members asked a question, and received clarification, on opportunities for scrutiny of the draft reports.

The Cabinet agreed to approve the Equality Mainstreaming Report for 2015/2016 and the Equality Outcomes Report and Action Plan 2017-2021 set out in Appendices 1 and 2 to the report.

6. Procurement EU Tender Plan - 2017/18 and 2018/19

Submitted report by the Executive Director (Finance and Corporate Support) on the EU Procurement Tender Plan for Financial Years 2017/18 and 2018/19. The proposed tender plan was set out at Appendix 1 to the report.

The Cabinet agreed to invite tenders for the supplies, services and works listed in the tender plan set out at Appendix 1 to the report.

7. Strategic Risk Register 2017/18 and Risk Management Framework (Page)

Submitted report by the Executive Director (Finance and Corporate Support) on the Strategic Risk Register for 2017/18 and the updated Risk Management Framework. The Strategic Risk Register was set out at Appendix 1 to the report. Appendix 2 contained the Risk Management Policy and Strategy, together with a Risk Management Matrix and Guide, and a Leadership and Accountability Guide.

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

- the recommendation by Audit Scotland to include Brexit;
- the rating of the risks associated with Brexit and that of the overall financial environment; and
- the assessment of risk associated with a further referendum on Scottish Independence.

The Cabinet agreed to approve the Strategic Risk Register and the Risk Management Framework set out in Appendices 1 and 2 to the report.

8. Revenue Budget 2016/17 : Financial Performance to 31 January 2017

Submitted report by the Executive Director (Finance and Corporate Support) on the financial performance for the Council at 31 January 2017. Supporting documentation was set out in Appendices 1-12 of the report.

The Cabinet agreed to (a) note (i) the information and financial projections outlined in the report, (ii) the utilisation of the 2016/17 General Fund surplus agreed by Council, (iii) the current financial projection for the Health and Social Care Partnership and (iv) the proposed allocation of HRA balances identified at Section 2.9 of the report; and (b) approve (i) the carry forward of £0.218m identified at Section 2.5 (vi) of the report and (ii) the virements detailed in Appendix 11.

9. Capital Programme Performance to 31 January 2017

Submitted report by the Executive Director (Finance and Corporate Support) on the progress in delivering the Capital Investment Programme as at 31 January 2017. Details of projected expenditure by project against the revised budget for 2016/17 were set out at Appendix 1 to the report.

The Cabinet agreed to (a) approve the revisions to budgets outlined in the report; and (b) note (i) the General Services and HRA expenditure and revised budgets to 31 January 2017 and (ii) the forecast of expenditure to 31 March 2017.

10. Local Authority Energy White Label

Submitted report by the Executive Director (Place) to progress proposals to establish a local authority led 'Energy White Label' in order to provide a locally branded, low tariff energy supply option to domestic customers and local businesses within North Ayrshire, as well as potentially to the corporate estate.

Members asked a question and were provided with further information in relation to other Scottish local authorities which are also considering an Energy White Label.

That Cabinet agreed to (a) test potential supplier appetite through publication of an outline 'Prior Interest Notification', to understand the willingness and capacity of licensed suppliers to meet the objectives of the proposed energy white label, with officers also undertaking soft market testing through existing customer engagement channels; and (b) remit to the Executive Director (Place) the preparation of formal tender documentation (invitation to tender, project specification and outline contract), and initiation of a competitive procurement exercise to procure a white label energy supply partner, subject to a positive response by the market to (a) above.

11. Asset Management Plans

Submitted report by the Executive Director (Place) on the new Estate Strategy, updated Property Asset Management Plan, updated Housing Asset Management Plan for the period 2017-2020 and updated Open Space Asset Management Plan set out at Appendices 1-4 of the report.

That Cabinet agreed to approve the Estate Strategy, the Property Asset Management Plan, the Housing Asset Management Plan and the attached Open Space Asset Management Plan, set out at Appendices 1-4 of the report.

12. Update on closure of public toilets

Submitted report by the Executive Director (Place) on the planned Council closure of public toilets on Arran and Cumbrae and in Irvine and West Kilbride from 1 April 2017.

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

- grant support being provided to support essential improvement and accessibility works on Cumbrae and whether similar support would require to be provided on Arran and in West Kilbride; and
- the process for considering a valid petition in respect of Arran public toilet closures.

That Cabinet agreed to (a) note (i) the good progress made to date in securing arrangements for the community asset transfer of facilities, (ii) that the toilets at East Road, Irvine will close on 31 March 2017 following the opening of the new Portal Leisure Centre to the general public and (iii) that the public conveniences subject to Community Asset Transfer (CAT) will operate under a licence agreement from 1 April 2017 until the formal CAT process is completed later this year and (iv) that, should a community delivery model not be identified for West Kilbride and four of the facilities in Arran, public toilets in these areas will close on 31 March 2017; and (b) support the continued dialogue with community groups in Arran and West Kilbride, which seek to finalise community asset transfer arrangements for the public conveniences in these locations.

13. Road Maintenance Programme 2017/18

Submitted report by the Executive Director (Place) on the proposed Roads and Street Lighting Maintenance Programme for 2017/18. The proposed Roads and Street Lighting Maintenance Programme 2017/18 was set out in the appendices to the report.

Members asked a question, and were provided with further information, in relation to the mechanism for assessing the investment of the additional resources agreed by North Ayrshire Council at its budget setting meeting held on 1 March 2017.

That Cabinet agreed to (a) note (i) the approach taken to determining the asset maintenance programme for Roads and Street Lighting and (ii) that the programme will be issued to the Locality Planning Partnerships for information; and (b) approve the Roads and Street Lighting Maintenance Programme for 2017/18, as shown at Appendix 1a and 1b to the report.

14. Utilisation of Surplus Affordable Housing Grant 2016/17

Submitted report by the Executive Director (Place) on the receipt and expenditure of surplus Scottish Government affordable housing grant to expedite the acquisition of development land associated with sites noted in the Strategic Housing Investment Plan (2017/18-2021/22). The SHIP was set out at Appendix 1 and site plans contained in Appendices 2 and 3 to the report.

Members asked a question, and were provided with further information, in relation to reviewing the business plan to determine the use of savings in future.

The Cabinet agreed to approve the utilisation of surplus Scottish Government affordable housing grant for 2016/17 (i) to acquire land assets at Corsehillhead, Kilwinning, Sharon Street, Dalry, St. Michael's Wynd, Kilwinning, and Tarryholme Drive, Irvine (as shown in the site plans at Appendix 2 to the report) from the General Fund and transfer to the Housing Revenue Account for the sum of £1,233,500; and (ii) for Cunninghame Housing Association to acquire Balnagowan (Skelmorlie), Sharphill (Phase 4) (Saltcoats) and Montgomerie Street (Ardrossan) (as shown in the site plans at Appendix 3 to the report) for the sum of £2,250,000.

15. Health and Care Governance Arrangements

Submitted report by the Director (Health and Social Care Partnership) on the proposed Health and Care Governance Framework for Integrated Health and Social Care.

The Cabinet agreed to (a) approve the proposed Clinical and Care Governance Framework and reporting arrangements for Integrated Health and Social Care Partnerships; and (b) support the proposed arrangements for Complaints and Feedback, Risk, Public Protection, Staff Governance, Workforce Planning and Internal Audit.

16. Care at Home Outsourced Service Provision

Submitted report by the Director (Health and Social Care Partnership) on the current care at home in-house and outsourced service provision.

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

- whether the Care at Home services referred to covered only older people or also those with a disability;
- the position in terms of Self-Directed Support and the related hourly rate;
- the hourly rate for in-house and outsourced provision;
- the feasibility of the proposed split between in-house and outsourced provision, given market conditions and anticipated increases in demand; and
- the quality control arrangements in place in respect of the management of services and the quality of service provision;

The Head of Service (Health and Community Care) corrected a typographical error within Section 2.14 (third bullet point) of the report, clarifying that the in-house hourly rate was marginally higher than that of outsourced provision. He undertook to provide Members with clarification of the hourly rate for self-directed support service provision compared with that for other Care at Home provision.

The Cabinet agreed to endorse the tendering for Care at Home Services based on the Integration Joint Board endorsed future split of care at home delivery between in-house and outsourced service provision, with a maximum in-house provision of 70% and minimum outsourced service of 27.5% depending on the market locally, representing a maximum 9% shift.

17. Vacant and Derelict Land Funding

Submitted report by the Executive Director (Economy and Communities) on the expenditure of funds allocated by the Scottish Government through the Vacant and Derelict Land Fund in 2017/18. The Scottish Government funding criteria were set out at Appendix 1. Sites within North Ayrshire which meet the funding criteria were listed in Appendix 2 to the report.

The Cabinet agreed to (a) note the VDLF award of £1.751m for 2017/18; (b) approve (i) the submission of a local delivery plan for the expenditure of funds in 2017/18 to the Scottish Government and (ii) the principle of the majority of future funding beyond 2017/18 being allocated to Irvine Enterprise Area, Lochshore, Irvine Harbourside/Ardeer and Ardrossan North Shore as priority projects.

18. Consultation of the Future of the Scottish Planning System

Submitted report by the Executive Director (Economy and Communities) on the Scottish Government's Consultation "Places, People and Planning - 18 January 2017". The proposed consultation response was set out at Appendix 1 to the report.

Members asked a question, and were provided with clarification, in relation to the proposed response to question 10(a) on community involvement in the preparation of the Development Plan Scheme.

The Cabinet agreed to approve the Council's response to the Scottish Government consultation on the findings of the independent review of the planning system, as set out in Appendix 1 to the report.

The meeting ended at 3.55 p.m.