

North Ayrshire Council
2 April 2014

IRVINE, 2 April 2014 - At a Meeting of North Ayrshire Council at 2.00 p.m.

Present

Joan Sturgeon, John Bell, Matthew Brown, John Bruce, Marie Burns, Ian Clarkson, Joe Cullinane, Anthea Dickson, John Easdale, John Ferguson, Alex Gallagher, Willie Gibson, Tony Gurney, Jean Highgate, Alan Hill, John Hunter, Elizabeth McLardy, Alex McLean, Catherine McMillan, Tom Marshall, Alan Munro, Irene Oldfather, David O'Neill, Donald Reid and Robert Steel.

In Attendance

I. Colvin, Director (North Ayrshire Health and Social Care Partnership); A. Sutton, Head of Service Community and Culture (Education and Skills); L. Friel, Corporate Director (Finance and Corporate Support); C. Hatton, Corporate Director (Development and Environment); A. Fraser, Head of Service (Democratic and Administration), C. Andrew, Senior Manager (Legal Services), M. McKeown, Committee and Members Services Manager and K. Dyson, Communications Officer (Chief Executive's Service).

Chair

Provost Sturgeon in the Chair.

Apologies for Absence

Robert Barr, Peter McNamara, Ronnie McNicol, Ruth Maguire, Jim Montgomerie, and Irene Oldfather.

1. Apologies for Absence

The Provost invited intimation of apologies for absence which were recorded.

2. Declarations of Interest

There were no declarations of interest in terms of Standing Order 16 and Section 5 of the Councillors' Code of Conduct.

3. Previous Minutes

The accuracy of the minutes of (a) the ordinary meeting held on 19 February 2014 and (b) the special meeting of the Council held on 26 March 2014, was confirmed and the minutes signed by the Provost in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Referral from Cabinet: Brodick Harbour Redevelopment

Submitted report by the Chief Executive on proposals by Caledonian Maritime Assets Limited (CMAL) to implement a comprehensive redevelopment of Brodick Harbour and requesting consideration of a recommendation by the Cabinet on the Council's financial contribution to the project.

At its meeting on 25 March 2014, the Cabinet received a report by the Corporate Director (Development and Environment) on proposals by CMAL to implement a comprehensive redevelopment of Brodick Harbour. The report raised matters in respect of the case for financial support to be provided by the Council and considered options for sourcing the funding. The report in question was attached at Appendix 1 and contained a plan of the site and an Impact Assessment of Brodick Harbour Redevelopment.

The Cabinet agreed (a) to note the progress made with proposals for the redevelopment of Brodick Harbour; (b) that a bid for support from the Coastal Communities Fund be prepared and submitted on behalf of the group; (c) to approve the provision of financial support from North Ayrshire Council, subject to a commitment from Caledonian Maritime Assets Limited that the project will be delivered in a single phase; and (d) to recommend to the Council that the Council's financial contribution be met from the uncommitted balance on the Council's Capital Fun

The Council agreed to make a financial contribution of £1.2m to the Brodick Harbour Redevelopment project, to be met from the uncommitted balance on the Council's Capital Fund.

5. Leader's Report

The Leader of the Council reported on the following matters:-

- the success of the Provost's Civic Pride Awards and Charity Dinner held on 21 March and the monies raised for Ayrshire Hospice and Cash for Kids. The Leader praised the high calibre of the 6 award winners;
- the visit of the Scottish Cabinet to Irvine on 25 March 2014, which presented an opportunity to promote the effort beings made to revitalise the communities of North Ayrshire and attract investment. The Leader highlighted and welcomed a range investment announcements, including investments by the Howco Group in their premises, the investment of £7.5m in the Irvine base with an additional £750,000 Regional Selective Assistance grant from Scottish Enterprise, and the announcement of a £1.7 million package of funding to support jobs and regeneration in Irvine and its surrounding area.
- His attendance, together with the Provost at an event on 10 March to mark Commonwealth Day at which the Provost raised the Commonwealth Flag in Eglinton Country Park with the help of local school pupils.

- His attendance at the COSLA and Improvement Service Annual Conference and Awards Ceremony which presented Leaders with an opportunity to discuss major local government policy issues. The Leader offered congratulations to Social Services and Health's Service Development Team in winning a Gold Award in the Service Innovation and Improvement category for the Care & Support North Ayrshire website which has helped people find the best social care and community activities in North Ayrshire.
- His visits to St Winnings Primary School and Hayocks Primary School during which he was impressed with the pupil's enthusiasm, effort and professionalism. At St Winning's pupils marked WW1 by helping to raise awareness of the local war memorial in the grounds of Kilwinning Abbey. At Hayocks Primary School in Stevenston, pupils presented a dedication to the life of local hero Kenneth Campbell VC.
- On 30 and 31 March, North Ayrshire hosted the Convention of Highlands and Islands Conference in Arran High School. The event was attended by seven local authorities with Highland and Island communities, along with fellow CoHI members from Visit Scotland, Highlands and Islands Enterprise, Bord na Gaidhlig, The Crofters Commission, Forestry Commission Scotland, Scottish Natural Heritage and Skills Development Scotland. John Swinney MSP also attended. The Leader paid tribute to the work of staff in pulling the event together.
- The Leader offered on behalf of the Council his sympathy to the family of Keane Wallis Bennet, the young girl who lost her life in Liberton High School, Edinburgh. The Leader asked, in light of this tragedy, that all schools are checked for the safety condition of any free standing walls as a priority.

6. Minutes of North Ayrshire Council (11 February 2014 to 20 March 2014)

Submitted for noting, the minutes of meetings of committees of the Council held in the period 11 February 2014 to 20 March 2014.

Noted.

7. Questions

In terms of Standing Order No. 12 submit

- (a) a question by Councillor Marshall to the Cabinet Member for Finance, Corporate Support and Housing in the following terms:

"A report to the Corporate Health and Safety Group on 6 February 2014 recorded 296 incidents of Aggression and Violence within the Education and Skills Service for the nine months to December 2013 – an annualised figure of some 400.

How many of these incidents were reported to the Police and what remedial action is being taken to reduce the incidence of such aggression and violence to staff and pupils?"

The Leader of the Council, in the absence of the Cabinet Member, responded and referred to the tabled response which provided as follows:

"At the time the report was written for the February Corporate Health and Safety Group, 296 incidents were recorded and reported for Education and Skills. The updated number of aggression and violence incidents for the period 1 April 2013 to 31 December 2013 is 342. The total number of these aggression and violence incidents that were reported to the police was 1, this related to an incident within the primary sector where a pupil threw an object which hit the teacher. As a result of the incident the pupil was excluded for 2 days and a behavioural assessment carried out.

Detailed analysis of the incidents is provided to and discussed at the Corporate Health and Safety Group. A significant number of aggression and violence incidents within Education and Skills are due to additional support needs children, where the aggression and violence is a result of an underlying condition. Such children have appropriate care plans and individual needs assessments monitored and reviewed to minimise occurrence of episodes where this is possible.

Where an incident of aggression and violence is consciously conducted by non ASN pupils the Council's aggression and violence policy fully supports employees in reporting such incidents to the police, where the matter is transferred for potential criminal charges. Additional management support is given to staff such as reviewing workplace patterns, occupational health referral and counselling where required."

Councillor Marshall thanked the Leader for his response.

(b) a question by Councillor Marshall to the Cabinet Member for Economic Development and Regeneration in the following terms:

"It was reported in February 2014 that Argyll and Bute Council had been successful in their application for £18.9M from the Scottish Government's Tax Incremental Finance (TIF) Scheme. The funds will be used in the Oban and Lorn area, the Lorn Arc, to promote economic growth. It is noted that North Ayrshire Council's bid for TIF in August 2011 for £15.2M for Irvine was unsuccessful.

Can we have an assurance that North Ayrshire Council will emulate Argyll and Bute Council in seeking to apply for any future TIF funding to promote economic growth in the North Coast Tourist areas?"

The Cabinet Member responded, referring to the tabled response which provided:

"North Ayrshire Council submitted an application for Tax Incremental Finance Pilot Project Status in November 2011. Argyll and Bute Council were one of three authorities of the 15 which applied which were successful in their application. The Council remain interested in Tax Incremental Finance as a means of funding economic growth, as well as other mechanisms which may emerge.

The TIF mechanism is at present not available to the Council given the need for the Scottish Government to monitor the success of the pilot projects, of which the Lorn Arc in Argyll and Bute is one. Should the mechanism be rolled out across Scotland in future, the Council would consider which project or projects would merit TIF status in terms of potential economic benefit and the certainty of securing additional rateable income".

Councillor Marshall, as a supplementary question, asked that consideration be given to the potential for any future Council bid to the TIF to include provision for the North Coast area.

The Cabinet Member responded that all potential project bids to the TIF would be assessed at the appropriate time when funding is available.

(c) a question by Councillor Reid to the Cabinet Member for Community and Culture Policy and Service in the following terms:

"The Council endorsed free swimming across North Ayrshire last summer which was reported as a great success and certainly made the pools across Ayrshire considerably busier. A recent campaign during the Winter Olympics resulted in increased attendance at the ice skating in the Auchenharvie rink. This promotion reduced the cost of attendance by a small margin resulted in four fold increase in attendance at very small increase in costs to North Ayrshire Leisure.

Can the Cabinet Member advise me if they can investigate the possibilities of extending free skating or reduced price skating for North Ayrshires young people during the school holiday periods when attendance in past has been very low? This would have health benefits and benefit the wider sporting community like the swimming promotion has?"

The Cabinet Member responded, referring to the tabled response which provided:

"In 2012 KA Leisure summer statistics show the following activity levels:

- 1568 Juvenile skates (5 – 15 year olds); and
- 1248 Family skates.

Last year (2013) the number of skating visits to KA Leisure facilities reduced. From 1st July to 18th August 2013 KA Leisure had the following skating admissions:

- 857 Juveniles skates;
- 952 skates in Family passes (approximately 600 would come under the Juvenile category).

Research has shown that this reduction was attributable to the popularity of the free swimming programme. 15,428 free swims were taken up. A free swimming programme was selected to enhance a range of other swimming activities already available in North Ayrshire schools and sports clubs, and to ensure that as high a number of young people as possible were equipped to take advantage of the free programme. In addition, the availability of swimming pools creates a more accessible option for a larger number of North Ayrshire children and young people.

KA Leisure consistently benchmarks with a range of other leisure providers in relation to pricing and compares well with competitors in terms of skating charges. It has avoided price rises for the past two years and therefore offers young people in North Ayrshire a good deal in terms of access to facilities.

Free skating in summer 2014 would require an increase in staffing by two additional stewards for 20 hours each per week. This would result in a cost of circa £26,000 before marketing, promotion and maintenance costs. This would be in addition to the cost of free summer swimming for 2014. Costs for last year (2013) were £39,483 for the free swimming programme on the mainland, as well as the ongoing subsidy of £40,000 for swimming on Arran.

Previous uptake (above) suggests that swimming is a more popular and more widely available option and benefits more children and young people. Funding for next year's swimming programme has now been identified and allocated within the available budget. The Council and KA Leisure are currently reviewing their funding and operating agreements and will continually review their offer to children and young people in North Ayrshire to ensure that their health and well-being is at the forefront of all service design and considerations, and skating will be reviewed in this context."

Councillor Reid, as a supplementary question, asked the Cabinet Member if any statistics were available on the uptake of skating during the winter olympics as compared with summer 2013.

The Cabinet Member undertook to raise this with North Ayrshire Leisure. He intimated that the Council had however made no budget provision for extending free skating or providing reduced price skating.

(d) a question by Councillor Bell to the Cabinet Member for Economic Development and Regeneration in the following terms:

"Since 2007 the claimant unemployment rate has doubled. What steps has the administration taken to attempt to improve the situation?"

The Cabinet Member responded, referring to the tabled response which provided as follows:-

"Tackling unemployment and creating employment continues to be a key priority for North Ayrshire Council.

2007-2014

North Ayrshire had a claimant unemployment rate of 4.6% (equivalent to 4,071 individuals) in February 2007. According to the most recent claimant count data in February 2014, North Ayrshire had an unemployment rate of 5.6% (equivalent to 4,821 individuals). Between February 2007 and February 2014, North Ayrshire experienced a 1 percentage point increase in the claimant unemployment rate. The claimant rate has not doubled during this period.

Scotland's claimant unemployment rate increased from 2.7% in February 2007 to 3.3% in February 2014. In this period, 25 of Scotland's 32 local authorities witnessed an increase in claimant unemployment. Clackmannanshire and North Lanarkshire had the highest increases with a 1.5 percentage point increase in claimant count unemployment between February 2007 and February 2014.

Since 2007, over 10,000 individuals have been supported by North Ayrshire Council employability and Skills activity with 4464 making a progression into employment. This has been a significant contribution during a prolonged recessionary period.

Steps to improve situation

However, the economic situation remains a concern and more jobs have to be created in the local economy if a sustainable improvement to the claimant count is to be achieved. To respond to this the Council has reviewed and re-focussed Economic Development Services to respond accordingly. The Team North Ayrshire approach has been developed to provide intensive account management support to businesses to grow and ultimately recruit more staff. Through Team North Ayrshire there is increased support for business start-up, exporting support and promoting North Ayrshire as an Inward investment destination. This links into the Enterprise

area designations and subsequent activity around attracting investment to North Ayrshire.

To support the increased demand from businesses, the Council's employability and skills offering has also been reviewed. Going forward there will be a clear focus on responding to what local companies actually need in terms of recruitment and skills and ensuring these demands are met consistently and flexibly. As a result of the review a number of work streams have been set up to better understand what businesses require in terms of recruits and skills; how we effectively respond to this; improving links between schools and businesses, improved support for those furthest from the labour market, and how the employability and skills system and is better managed and co-ordinated."

Councillor Bell, as a supplementary question, asked the Cabinet Member if in the interests of putting North Ayrshire first and increasing job opportunities, the administration's position on a new nuclear Power Station at Hunterston should be revisited.

The Cabinet Member responded that Council's position, and that of the administration, was clear.

(e) a question by Councillor Cullinane to the Cabinet Member for Finance, Corporate Support and Housing in the following terms:

"How many agency staff are employed by the Council?"

The Cabinet Member advised that "As at 31 March 2014, the Council employed 50.5 agency staff."

Councillor Cullinane, as a supplementary question, asked the Cabinet Member if information was available on which agencies were used by the Council, the amounts paid to these agencies, and what agencies paid to their staff.

The Cabinet Member responded by providing examples of where agency staff are used. He intimated his view that there would always be a need to employ agency staff.

(f) a question by Councillor Gallagher to the Cabinet Member for Finance, Corporate Support and Housing in the following terms:

"How much has been spent by the Council, how much has been committed in contracts and how much is projected to be spent on purchasing and preparing the land at Longbar for the proposed new Garnock Academy and from which budgets?"

The Cabinet Member responded, referring to the tabled response which provided as follows:-

"1) How much has been spent by the Council on purchasing and preparing the land at Longbar

The main site purchase involves three parties: the Council; the developer who holds an option over the site; and the landowner. The missives for the purchase of the site by the Council from the developer have been signed and the developer has triggered its option to acquire the site from the landowner; the Council has therefore not yet paid for the land purchase. Following purchase of the main site a number of smaller sites will be acquired. Terms of purchase have been agreed for these acquisitions. The purchase price for the sites needs to remain confidential until the transactions are fully concluded.

£20,000 has been spent to date on surveyors' fees relating to the land purchase. £120,000 has been spent on carrying out various site investigations, reports etc. relating to the project.

2) how much has been committed in contracts

At present there are no contracts in place which commit the Council to further expenditure, as the strategic support phase is complete and the 'gateway review' to enable progress to the next stage is underway. The next phase of the project is anticipated to commence shortly.

3) how much is projected to be spent on purchasing and preparing the land at Longbar for the proposed new Garnock Academy and from which budgets

It is estimated that a further £10,000 in surveyors' fees will be incurred to complete the site purchase process.

A further £63,000 will be paid in relation to the site investigation work that has been carried out in recent weeks.

Site preparation costs will form part of the main contract with HubCo, which has not yet been finalised. All costs directly related to the project, including site investigations, purchase of the land and enabling works will be met from the Council's approved capital budget of £39m."

Councillor Gallagher, as a supplementary question, asked if the cabinet member could confirm when missives were signed and if this was before or after the decision taken by the local Development Plan in respect of the reinstatement of housing provision in north Lochshore.

The Cabinet Member undertook to provide this information.

8. Treasury Management Strategy Report

Submitted report by the Corporate Director (Finance and Corporate Support) on the proposed Strategy for Treasury Management activities within the Council for the financial year 2014/15.

The Council approves its Treasury Management Strategy at the start of each financial year with a mid year report provided to Cabinet and a Treasury Outturn report to Council after the end of the financial year. The Treasury Strategy for 2014/15, a copy of which was appended, reflects decisions to be taken in the light of interest rate forecasts and the Council's borrowing requirements and investment opportunities. The two key elements are cash flow and financing of the capital investment plans. The report summarised the key objectives of the Strategy in relation to borrowing and investment.

The Council agreed to approve the Treasury Management Strategy Statement for 2014/15 as appended to the report.

9. Revenue Estimates 2014/15 - Common Good and Trusts

Submitted report by the Corporate Director (Finance and Corporate Support) on annual income and expenditure in respect of the Common Good Funds and Trusts administered by North Ayrshire Council, and the proposed levels of grant funding to be made available for disbursement in 2014/15.

The Council is custodian of a range of Common Good Funds for the former burghs of Ardrossan, Irvine, Largs, Millport, Saltcoats and Stevenston and, in addition, administers a number of Trusts, including now, the Charitable Trusts established for the towns of Ardrossan, Beith & Gateside, Dalry, Irvine, Kilbirnie & Glengarnock, Kilwinning, Largs and Saltcoats. The report presented the 2014/15 revenue estimates for the 6 Common Good and ten Trusts and sought agreement on the levels of disbursement for 2014./15.

Members asked questions and received clarification on efforts to maximise investments on Common Good Funds and Trusts to try to sustain and grow the Funds and Trusts in future years. The Corporate Director (Finance and Corporate Support) advised the Council of efforts made in this regard but offered to look again at the options open to the Council.

The Council agreed to (a) approve the 2014/15 revenue estimates for (i) the Common Good Funds of Ardrossan, Irvine, Largs, Millport, Saltcoats and Stevenston and (ii) the Spier's Trust, the Margaret Archibald Trust and the newly formed Town Trusts; and (b) delegate authority for approval of the individual disbursements from all Common Good and Trusts to the Area Committees, provided that the annual budgeted level of expenditure is not breached.

10. Election/Referendum Policies on Display of Campaign Posters on Council Property

Submitted report by the Chief Executive which invited the Council to approve minor changes to the Council's policy on the display of campaign posters on Council property in respect of the forthcoming European Parliamentary Election and Independence Referendum.

In 2007, the Council agreed a policy on the Display of Campaign Posters on Council Property. This policy set out the conditions under which the Council will allow campaign posters to be affixed to street furniture such as lighting columns during electoral events. The report proposed some changes to the application of the policy in respect of the forthcoming European Parliamentary Election and Independence Referendum.

Councillor Gibson, seconded by Councillor Hill, moved that the Council accept the recommendation in the report to approve the terms of the revised policy as appended to the report.

As an amendment, Councillor Marshall, seconded by Councillor Reid, moved that the Council do not allow the display of campaign posters on Council property.

Following discussion, and on a division, there voted for the amendment 13, and for the motion 11, and accordingly the amendment was declared carried.

Accordingly the Council agreed not to allow the display of campaign posters on Council property.

The meeting ended at 3.10 p.m.