

Cabinet
4 December 2012

IRVINE, 4 December 2012 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, Alan Hill, Marie Burns, Anthea Dickson, John Ferguson, Tony Gurney and Alex McLean.

Also Present

John Easdale and Donald Reid.

In Attendance

E. Murray, Chief Executive; L. Friel, Corporate Director (Finance and Corporate Support); I. Colvin, Corporate Director and A. Adrain, Divisional Manager - H.Q. (Social Services and Health); C. Kirk, Corporate Director and A. Sutton, Head of Service, (Community and Culture) (Education and Skills); C. Hatton, Corporate Director (Development and Environment); I. Mackay, Solicitor to the Council (Corporate Services); and J. Montgomery, General Manager (Policy and Service Reform); D. Moroney, Communications Officer and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

1. Declarations of Interest

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

2. Minutes

The Minutes of the previous meeting of the Cabinet held on 20 November 2012, were signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Council Plan, Performance Management Strategy and Single Outcome Agreement (SOA):Progress Update

Submitted report by the Chief Executive on progress in implementing the Council Plan Action Plan 2012/13, the Performance Management Strategy Action Plan 2012/13 and the Single Outcome Agreement (SOA) Action Plan 2012/13.

A summary of the overall status of all actions and indicators in respect of the three Action Plans for 2012/13 was provided in Appendices 1-3 of the report. The Council Plan Action Plan 2012/13 shows 46 out of 48 actions and 8 of the 9 quarterly indicators with targets, as complete or on target. Of the 29 actions in the Performance Management Strategy Action Plan 2012/13, 27 are complete or on target. 25 of the 27 actions within the SOA Action Plan 2012/17 are on target and, of the 31 quarterly indicators, 19 were coded as on target, 1 as slightly adrift of target, 1 as significantly adrift of target and 10 as data only with no quarterly targets set. Details of any actions or indicators which are adrift of target were set out in the report.

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

- the outcome of any analysis of absence statistics associated with the Maximising Attendance Policy;
- progress against the Objective 6 (Developing Performance Management Systems) of the Performance Management Strategy Action Plan
- the background to low up-take levels for the mentoring programme;
- the respective roles of the Council and NHS Ayrshire and Arran in relation to delayed discharge from hospital; and
- the reason for the action on the implementation of the North Ayrshire and Pan-Ayrshire Tourism Strategies being slightly adrift of target.

The Cabinet agreed to (a) note that progress continues in implementing the 2012/13 Action Plans for the Council Plan, Performance Management Strategy and SOA; and (b) refer the report to the Scrutiny and Petitions Committee for consideration.

4. Service Plan 2012/13 Progress Reports as at 30 September 2012

Submitted report by the Chief Executive on the performance of all Council Services as at 30 September 2012.

The Cabinet approved the 2012/13 suite of Service Plans at its meeting on 6 June 2012 and agreed to receive 6-monthly progress reports. Appendices 1-5 of the report provided an update on progress in respect of the Chief Executive's Service, Corporate Services, Education and Skills, Finance and Infrastructure and Social Services and Health.

The report proposed the removal of 4 Finance and Infrastructure Service indicators, 3 of which were initially included as proposed Solace Benchmarking indicators, but are still in development and will be used once finalised. The removal of a fourth Finance and Infrastructure Service indicator was due to Audit Scotland's amendment to SPI 24 (Percentage of household waste recycled and composted).

Members asked questions, and received clarification, on the following matters relating to the Social Services and Health Service Plan summary :-

- the success of joint Ayrshire working in areas such as criminal justice social work services and issues surrounding other partnership working arrangements;
- the importance of raising public awareness of anti-social behaviour issues; and
- possible reasons for the increase in the number of children on North Ayrshire's Child Protection Register.

Members took the opportunity to congratulate both the Council staff who had been successful in the recent North Ayrshire Achieves awards and those responsible for organising the event. The Chief Executive undertook to ensure that greater advance notice is provided of the date of next year's event.

The Cabinet agreed to (a) note the performance of all Services as at 30 September 2012 against the actions, key performance indicators and risks in the 2012/13 Service Plans; (b) the removal of Finance and Infrastructure Service indicators SP1213FI_P_E34 (Total Finance cost per 1,000 employees (FTE)), SP1213FI_P_E38 (Gross property costs of the operational estate as a percentage of the gross revenue budget), SP1213FI_P_E41 (Operational property as a percentage of total portfolio) and SP1213FI_P_F02 (Percentage of municipal waste recycled and composted); and (c) refer the Service Plan 2012/13 progress reports to the next meeting of the Scrutiny and Petitions Committee for consideration.

5. 2011/12 Statutory Performance Indicators - Scottish Rankings

Submitted report by Chief Executive on the performance of the Council in comparison with other Councils.

The table at Section 2.2 of the report summarised the Council's position in relation to other Scottish Councils, as well as the Council's performance for 2011/12 compared to the Scottish average. The Council was positioned in the upper quartile for 47% of the indicators in 2011/12, the inter quartiles for 38% and the lower quartile for 15%. Performance was above the Scottish average for 67% of the indicators and below average for 33%. The Council's position in relation to other Councils for all SPIs was detailed in Appendix 1.

The Cabinet agreed to (a) note the Council's position in relation to other Councils and progress being made in terms of the Council's overall performance; and (b) refer the report to the next meeting of the Scrutiny and Petitions Committee for consideration.

6. Arran Outdoor Education Centre and Outdoor Education Service

Submitted report by the Corporate Director (Education and Skills) on a proposed options appraisal to determine options for the future sustainability of Arran Outdoor Education Centre and Outdoor Education Service.

Efficiencies require to be achieved within the Education and Skills budget over the next three years, and all areas of provision are being examined in this context.

Many other outdoor centres across the country operate within a range of different business models and sectors, including public, private, charitable and voluntary, and a mix of the above. A review of the operating and business model of the Centre will allow Education and Skills to create opportunities for the Centre to continue to operate sustainably in future without Council subsidy.

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

- the importance of ensuring the future sustainability of the centre; and
- the potential for developing the 'hotel' aspect of the centre at times in the year when it is not in demand from schools.

The Cabinet agreed to instruct officers to carry out an options appraisal and investigations to determine management and funding options for the future sustainability of Arran Outdoor Education Centre and Outdoor Education Service.

7. Nurturing Excellence in Communities: Review of Current Grants Schemes

Submitted report by the Corporate Director (Education and Skills) on proposals to support community groups.

The new Nurturing Communities Fund will sit alongside and complement the Nurturing Excellence in Sport, Arts and Culture funds. It will focus on the Christie Commission principles. Funds awarded from it will, among other things, provide seed corn funding and support for eligible groups to undertake community activity, research, consultation and community engagement, and training and learning.

The awarding process in North Ayrshire will continue to be carried out by Elected Members at Area Committees, but on a revised cycle to enable Members and officers to encourage and support more strategic capacity building projects through the fund. Allocations of funding for distribution by Area Committees will be made in line with updated demographic information and proposed revised criteria. A flat rate grant is recommended, as detailed in Section 3.13 of the report.

It was proposed that the changes outlined at Section 3 of the report be phased in over the forthcoming financial years (2013-15) to enable organisations to build capacity and to take advantage of Council, Third Sector Interface and external support to access funding streams appropriate to their area of activity.

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

- the importance of assisting groups to capitalise on external funding opportunities; and
- the capacity of officers to provide necessary support and advice to groups during the transition period in the introduction of the new arrangements.

The Cabinet agreed to implement the Nurturing Excellence in Communities programmes set out in Section 3 of the report.

8. Strategic Car Parking Policy for North Ayrshire

Submitted report by the Corporate Director (Development and Environment) on the development of a Strategic Car Parking Policy for North Ayrshire.

A Strategic Car Parking Policy is required to set out the Council's long-term approach to the management and enforcement of both on-street and off-street parking areas. It will allow consistent decisions to be made across communities and provide a framework for review of restrictions and controls where changes may be needed to meet local needs.

The policy will be informed by detailed surveys and reports on car parking carried out in 2010 and 2012. It will include provision in relation to key car parks owned by the Council which have a number of public uses in addition to residential use. A business case has also been developed in relation to the Council making an application for Decriminalised Parking Enforcement (DPE) powers.

The Cabinet agreed (a) to the development of a Strategic Car Parking Policy for North Ayrshire for consideration at a future meeting; and (b) that the Environment and Infrastructure Policy Board and the Economic Development Policy Board jointly oversee the development of the policy.

9. Next Generation Broadband (NGB)

Submitted report by the Corporate Director (Development and Environment) on ongoing discussions with the Scottish Government regarding the provision of Next Generation Broadband (NGB) in North Ayrshire.

Access to fast Broadband is recognised as a key issue affecting both residents and business competitiveness. The process for delivering the commitment to NGB throughout Scotland will be through a nationally procured framework. To meet its coverage objectives, the Scottish Government plans to target the bulk of its public investment in areas where the market is inactive and the national project aims to provide 75% NGB coverage across Scotland.

There is an opportunity for local authorities to increase this to 80% or 85% of their area should they commit sufficient financial resource. Indicative costs from the Scottish Government are £300,000 for 80% and £1.1 million for 85% coverage respectively. Investment above this would grow exponentially and more accurate costing will be available upon completion of the national procurement exercise. The Scottish Government has requested a response upon the additional level, if any, of Council investment to increase coverage by mid-December.

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

- the extent to which the investment associated with the proposals represents value for money; and
- the importance of ensuring that key locations, such as the new Enterprise Park in Irvine, will be covered by the extended NGB coverage.

The Cabinet agreed to (a) note the plans of Scottish Government to deliver Next Generation Broadband; (b) supports an increase in the extent of North Ayrshire covered by Next Generation Broadband to 85%, with the additional £1.1 million investment required to be considered as part of the 2013/14 budget-setting exercise; and (c) that the Scottish Government be notified of the Council's actions accordingly.

10. Update: Waste Management Strategy

Submitted report by the Corporate Director (Development and Environment) on the progress made with the implementation of the Council's Waste Management Strategy and the proposal to formally join the Clyde Valley waste partnership to secure a long-term solution for the treatment of residual waste.

At its meeting of 19 June 2012, the Cabinet agreed to enter into detailed negotiations with the Clyde Valley partnership and, subject to the satisfactory conclusion of the negotiations, enter into the Inter Authority Agreement to procure a long-term solution for the treatment of residual waste. The report provided an update against progress in respect of the undernoted key actions:-

- Increasing the level of Education and Promotion;
- Providing new services to support re-use;
- Increasing the range of materials collected for recycling and composting;
- Developing facilities and long-term options to dispose/treat residual waste; and
- Reducing the net cost of providing waste management services.

Members asked questions, and received clarification, on the future of the reverse vending recycling pilot within schools, including the possibility of extending it to other schools and potential funding options.

The Cabinet agreed (a) to note progress against the Waste Management Strategy; (b) that procurement exercises be undertaken to appoint contractors for landfill engineering and design services, and to undertake works at appropriate stages to cap and construct cells, until the closure of the landfill site; (c) that the Council enters into the Inter Authority Agreement, as set out in Appendix 1 to the report, to procure a long-term solution for the treatment of residual waste with the Clyde Valley partnership; (d) that the additional £125,000 required to support the procurement exercise be met from the projected underspend within the waste management budget for 2012/13 and held in reserve until required; and (e) that the Corporate Director (Development and Environment) be the Council's nominated representative on the Clyde Valley Waste Management Initiative Steering Group (Residual Waste) and be authorised to take appropriate decisions as detailed in the Inter Authority Agreement.

11. Shaping Scotland's Court Services: A Consultation Response

Submitted report by Solicitor to the Council on a consultation paper on the future of Courts in Scotland and the proposed formal response on behalf of the Council.

A proposed response to the consultation paper was attached as Appendix 1 to the report. The response focuses on the lower levels of justice, particularly the proposed loss of the JP Court in Irvine and makes reference to the economic loss of such a facility, as well as the issue of travel for those using the Court. Interest is expressed in the establishment of a Specialist Court in North Ayrshire focussing on areas such as domestic abuse, drug and alcohol abuse and young offenders.

The Chair took the opportunity to pay tribute to Mr Ian Mackay, the Solicitor to the Council, who will be retiring from the Council on 6 December 2012. On behalf of Members, he thanked Mr Mackay for his hard work over the years.

That Cabinet agreed to approve the response to the Scottish Court Service consultation on the future of Scottish Courts as set out in Appendix 1 to this report.

12. Revision to the Affordable Housing Supply Programme and Development of an Older People Resource Centre in Largs

Submitted report by Corporate Director (Social Services and Health) on a revised Strategic Local Programme (SLP), the development of an older people resource centre at the Stevenson Institute site, Largs and the commencement of the tendering process for the Council house building project at John Galt Primary School.

The Council has been awarded an additional subsidy of £544,000 subsidy for affordable housing and requires to revise its Strategic Local Programme as a result. Following consideration of the slippage programme, the Lovell Courtyard project in Irvine has been highlighted as suitable to progress at this stage and the report proposed that £214,000 be allocated to Irvine Housing Association to part-fund the purchase of 6 two-bedroom apartments.

A review of other development opportunities which have arisen since the original SLP was submitted has identified the development of the Stevenson Institute, Largs, as a new Social Services Resource Centre for Older People, with 11 new one-bedroom Council house amenity flatted properties for rent. The revised SLP allocates £330,000 of the subsidy to the project and Section 4.1 of the report detailed the financial implications arising.

It is a condition of the Scottish Government funding that subsidy will be paid on issue of practical completion certificates for projects, and only if these are issued before 31 March 2015. In order that the Council secures the planned financial assistance allocated in the SLP, it is now necessary to progress the previously approved John Galt project, to ensure the challenging completion timeline is met. To allow the delivery of all 80 units by the funding deadline, the construction element of the project will be tendered as two separate contracts, each for 40 units.

Members asked questions, and received clarification, on the scope of the services to be provided by the proposed Stevenson Institute site resource centre.

The Cabinet agreed to approve (a) the revised SLP shown in Appendix 1 of the report, for submission to the Scottish Government; (b) the proposal to develop an older people resource centre at the Stevenson Institute site, Largs, in addition to the 11 residential units referred to the revised SLP; (c) the transfer of the Housing element of the Stevenson Institute land, held within the General Fund, at whatever value is returned by the District Valuer; and (d) the commencement of the tendering processes to appoint the Design Team for the John Galt project.

13. Treasury Management Mid-Year Report 2012/13

Submitted report by the Corporate Director (Finance and Corporate Support) on the Treasury Management update for the period 1 April to 31 October 2012.

The report summarised the current position in terms of the global economy, including concerns over a global financial crisis, the UK economy, and the outlook for the next six months of 2012/13 and in the longer term. No changes were proposed to the Council's approved annual Treasury Management Strategy Statement (TMSS) for 2012/13, which includes the Annual Investment Strategy. Information on the Council's investment activity and borrowing requirements was set out at Sections 2.6 and 2.7, respectively. A summary of the movements in borrowing and investments during 2012/13 was provided at Appendix 1 to the report.

A list of the Council's current prudential indicators and limits were set out in the table at Section 2.8.1 of the report and an update on the position with regard to the Council's Icelandic deposits was provided at Section 2.9.

Members asked questions, and received clarification, on whether the funds held in Escrow in Icelandic banks were secure and earning interest.

Noted.

14. Procurement Exercise - Supply of uPVC Windows

Submitted report by the Corporate Director (Development and Environment) seeking approval to award a contract for the supply of uPVC windows.

An open EU procurement exercise was undertaken. Expressions of interest were submitted from 31 suppliers and 5 tender submissions received. The tenders were evaluated using the pre-determined criteria of 80/20 quality/price ratio having first satisfied the minimum standards.

The Tender Outcome Report was set out at Appendix 1 to the report. The preferred supplier is Andrew Wright Holdings 2010 Limited.

The value of the contract is estimated at £700k per annum, provision for which is contained in the Capital plan of the Housing Revenue Account Business Plan.

The Cabinet agreed to approve the award of uPVC window supply to Andrew Wright Holdings 2010 Ltd.

15. Procurement Exercise - Provision of Organic Waste Treatment Services

Submitted report by the Corporate Director (Development and Environment) seeking approval to award a contract for Organic Waste Treatment Services.

A contract period of 8 years with an option to extend, on an annual basis, for up to a further 2 years has been agreed, reflecting the investment required by the market to provide facilities of this nature. A formal tender was advertised in line with European Union Procurement Regulations and a two-stage evaluation process undertaken. Five completed tenders were received and taken forward to Stage 2 evaluation of quality and price.

The Tender Outcome Report was set out at Appendix A to the report. NPL Estates Limited scored highest against the stated evaluation criteria, offering a service that enables the addition of food waste to the existing brown bin service.

The value of the contract is approximately £700,000 per annum. Budget provision exists within the Waste Management budget.

That Cabinet agrees to award a contract to NPL Estates Limited for Organic Waste Treatment.

16. Community Empowerment Policy Board

Submitted report by the Corporate Director (Education and Skills) on the Minutes of the meeting of the Community Empowerment Policy Board held on 5 November 2012.

Noted.

The meeting ended at 4.15 p.m.