



NORTH AYRSHIRE
COUNCIL

Cunninghame House,
Irvine.

30 August 2012

Cabinet

You are requested to attend a Meeting of the above mentioned Committee of North Ayrshire Council to be held in the Council Chambers, Cunninghame House, Irvine on **TUESDAY 4 SEPTEMBER 2012** at **2.30 p.m.** to consider the undernoted business.

Yours faithfully

Elma Murray

Chief Executive

1. Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

2. Minutes (Page 7)

The Minutes of the previous meeting of the Cabinet held on 21 August 2012 will be signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

REPORTS FOR DECISION

3. Projects Funded from Landfill Communities Fund (LCF) 2012/13 (Page 19)

Submit report by the Solicitor to the Council on a programme of projects to be funded through the Landfill Communities Fund (LCF) 2012/13 (copy enclosed).

- 4. Grant Offers for Outdoor Access Projects in the Financial Year 2012-13 (Page 43)**
Submit report by the Solicitor to the Council on the acceptance of the grant offers and the implementation of the associated projects (copy enclosed).
- 5. Scottish Government Consultation: Proposals for the Integration of Adult Health and Social Care (Page 51)**
Submit report by the Corporate Director (Social Services & Health) on the draft response in detail and agree a final response for submission by 11 September (copy enclosed).
- 6. SPT Bus Stop and Shelter Management Agreements (Page 71)**
Submit report by Corporate Director (Finance & Infrastructure) on extending the current bus stop and shelter management agreements for a further five year period (copy enclosed).
- 7. Closing Orders - Various locations in North Ayrshire (Page 75)**
Submit report by the Corporate Director (Finance & Infrastructure) on the condition of a number of properties in Dalry, Largs and Skelmorlie (copy enclosed).
- 8. Extension of Community Warden Service (Page 81)**
Submit report by the Corporate Director (Social Services & Health) on the implementation of an enhanced Community Warden service (copy enclosed).
- 9. Largs Matters Business Improvement District (Page 89)**
Submit report by the Chief Executive on the establishment of a Business Improvement District for Largs Town Centre (copy enclosed).

REPORTS FOR INFORMATION

- 10. Pilot programme of insulated rendering works to timber houses (Page 97)**
Submit report by the Corporate Director (Finance & Infrastructure) on the proposed pilot project and intended future strategy to improve the energy efficiency and overall condition of all timber houses (copy enclosed).
- 11. Councillors' Induction and Development Programme (Page 107)**
Submit report by the Chief Executive on completion of the Councillors' Induction Programme and the next steps in Councillors' Development and Training (copy enclosed).
- 12. Scottish Secure Tenancies (Proceedings for Possession) (Pre Action Requirements) (Scotland) Order 2012 (Page 115)**
Submit report by Corporate Director (Social Services & Health) on the new requirements under the above order (copy enclosed).
- 13. Corporate Equality Group (Page 121)**
Submit report by the Chief Executive on the Minutes of the Corporate Equality Group meeting on 12 June 2012 (copy enclosed).

14. Education Attainment and Improvement Policy Board: Minutes of 13 August 2012 (Page 129)

Submit report by the Corporate Director (Education and Skills) (copy enclosed).

15. Implementation of the New SPSO Guidelines (Page 135)

Submit report by the Solicitor to the Council (copy enclosed).

CONTRACT APPROVAL

16. Copeland Crescent, Millport - Appointment of Contractor (Page 181)

Submit report by the Corporate Director (Social Services & Health) on the award of a construction contract for the development of 12 new amenity standard council housing units at Copeland Crescent, Millport, and on increased funding to meet additional construction costs (copy enclosed).

17. Procurement Exercise: Provision of Tenants Contents Insurance (Page 201)

Submit report by the Corporate Director (Social Services & Health) on the procurement exercise undertaken for the provision of Tenants' Contents Insurance and to seek approval for the award of a contract (copy enclosed).

18. Urgent Items

Any other items which the Chair considers to be urgent.

Cabinet

Sederunt:

Elected Members

Willie Gibson (Chair)
Alan Hill (Vice-Chair)
Marie Burns
Anthea Dickson
John Ferguson
Tony Gurney
Alex McLean

Chair:

Attending:

Apologies:

Meeting Ended:

Cabinet
21 August 2012

IRVINE, 21 August 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 and Tony Gurney.

Also Present

John Easdale and Alex Gallagher.

In Attendance

E. Murray, Chief Executive; C. Kirk, Corporate Director, J. McKnight, Manager (Community Development) and D. Yuille, Project Manager (Education and Skills); I.T. Mackay, Solicitor to the Council and A. Laurenson, Team Manager (Corporate Services); O. Clayton, Head of Service (Community Care and Housing) and S. Gault, Head of Service (Children, Families and Criminal Justice) (Social Services and Health); Y. Baulk, Head of Finance, A. Bodie, Head of Infrastructure and Design Services, C. Hatton, Head of Environment and Related Services, P. Doak, Senior Manager (Internal Audit and Risk Management) and T. Reaney, Procurement Manager (Finance and Infrastructure); J. Montgomery, General Manager (Policy and Service Reform), K. Don, Economic Development Officer (Tourism), K. Dyson, Communications Officer and M. Anderson, Committee Services Officer (Chief Executive's)

Also In Attendance

Hugh Carr, Head of Strategic Procurement (Scotland Excel).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Alex McLean.

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 meetings of the Cabinet held on 6 June and 19 June were signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Procurement Overview

Submitted report by the Corporate Director (Finance and Infrastructure) on national and local procurement and on progress in terms of improving North Ayrshire Council's procurement practices.

Hugh Carr, Head of Strategic Procurement with Scotland Excel was in attendance to respond to questions from Members.

The report set out the implications of the Scottish Government's review of Public Sector Procurement in Scotland, including details of the categorisation of goods and services. Progress was assessed in relation to a number of local issues, including the Council's Procurement Strategy and Elected Member training, as well as national issues, such as the Procurement Reform Bill. Information on the Procurement Capability Assessment of the Council and the Corporate Procurement Unit's performance indicators was also contained in the report.

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

- the Council's current performance in terms of contract and supplier management, and plans for improvement;
- the background to the lower percentage of invoices being paid within 30 days of receipt;
- the nature of the support provided to local businesses; and
- the opportunity for local SMEs to tender for the Category B contracts highlighted at Section 2.7 of the report.

The Cabinet agreed to (a) note the report; (b) receive a further report in 6 months; and (c) approve continued membership of Scotland Excel.

4. North Ayrshire Panel of Safeguarders : Reappointments

Submitted report by the Chief Executive on the reappointment of Safeguarders and Legal Representatives to the Council's Panel of Safeguarders.

The Council is required to maintain a Panel of Safeguarders and is responsible for appointing Safeguarders and Legal Representatives. Under the Children's Hearings (Scotland) Act 2011, responsibility for Safeguarders will transfer to a new national Safeguarder Panel operated by Children 1st. The current period of appointment of the Council's Safeguarders and Legal Representatives expired in June 2012. Pending implementation of the new Act, it was proposed that the Panel, set out in the appendix to the report, be reappointed for a further 3 years.

The Cabinet agreed to approve the reappointment of 12 Safeguarders, including 5 Legal Representatives, to the North Ayrshire Panel of Safeguarders, as set out in the appendix to the report.

5. Financial Assistance to Outside Bodies

Submitted report by Chief Executive on applications received for financial assistance.

The Corporate Grants for Outside Bodies budget for 2012/13 is £8,000. The Council has a number of existing budget commitments which reduce the level of funding available for disbursement to £4,313.68. In addition, there is a commitment to support Largs Games in 2013 and an award of £2,500 was recommended in this regard.

The Council is in receipt of a number of applications for financial assistance from various national and local organisations, amounting to a total of £27,155.93. In view of the extent to which the budget is oversubscribed, the report proposed that officers investigate alternative proposals for supporting the applications in question.

The Cabinet agreed (a) to provide financial assistance in the amount of £2,500 to Largs Town Twinning Association to support preparations for the Largs Games 2013; and (b) that, in the light of the extent to which the remaining Corporate Grants budget is oversubscribed, it be remitted to (i) the Chief Executive to write to applicants to offer to support them to identify alternative sources of funding; and (ii) the Head of Service (Community and Culture) to prepare a report for the Cabinet in Autumn 2012 on Nurturing Communities proposals which will promote capacity building within communities and organisations.

6. North Coast Tourism Assessment Study

Submitted report by the Chief Executive on the North Coast Tourism Assessment Study.

The North Coast Tourism Assessment Study, set out in the appendix to the report, assesses the tourism potential of the area and presents a 'framework' for growth opportunities to help guide future decision-making and development of the tourism economy over the next 3-5 years. The study has been used to support and guide the priorities contained within the North Ayrshire Tourism Action Plan agreed by the former Executive on 14 February 2012 and the Nuclear Decommissioning Authority (NDA) Investment Framework agreed by the Council on 26 October 2011.

The Cabinet agreed to (a) note the North Coast Tourism Assessment Study set out at Appendix 1 to the report; (b) support the implementation of opportunities highlighted in the study to address the identified shortfalls and tourism-related weaknesses of the area; and (c) that the Economic Development Officer (Tourism) attend a future meeting of the North Coast Area Committee to report on the detail of the study.

7. Improvements to the Slipway at Arran Outdoor Education Centre

Submitted report by the Corporate Director (Finance and Infrastructure) on additional capital funding to ensure the medium to long term sustainability of the slipway at Arran Outdoor Education Centre

The slipway was constructed as part of the Arran Outdoor Education Centre works to provide access to the water for a range of craft. Works totalling £93,981 are now required to re-texture the surface on the lower section of the slipway, repair and extend the mass concrete end ramp, and repair and enhance the rock armoured slopes.

There is presently £45,614 in the 2012/13 Capital Programme to address required immediate/short-term repairs to the slipway serving the Arran Outdoor Education Centre. The Officer Capital Programme and Assets Group (CPAG) considered this matter at its meeting on 26 July 2012 and agreed to recommend to Cabinet that the additional capital funding required to ensure the medium to long term sustainability of the slipway be made available.

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

- whether the slipway had been properly specified and constructed in the first instance; and
- the likelihood of issues arising again in the future.

The Cabinet agreed to provide an additional £48,367 of capital funding in 2012/13 to ensure the medium to long term sustainability of the slipway at Arran Outdoor Education Centre.

8. Kilbirnie Conservation Area Regeneration Scheme Funding Bid

Submitted report by the Solicitor to the Council on the Kilbirnie Conservation Area Regeneration Scheme funding bid and to seek approval for its submission to Historic Scotland.

At its meeting of 19 June 2012, the Cabinet approved the preparation of a proposal for a Conservation Area Regeneration Scheme (CARS) funding bid for Kilbirnie. Officers have since undertaken work to prepare the funding bid. The report proposed a 5-year programme (April 2013-March 2018) comprising improvements to the Walker Hall and Knox Institute, public realm works in relation to the bridge at the Cross, a grants scheme, a contribution to the redevelopment of the former Stoneyholm Mill buildings and analysis of its future redevelopment potential, training and skills opportunities, and professional fees.

The projected total cost of the CARS package is £1,035,000, to be met by Historic Scotland CARS Funding (£500,000), the Council (£500,000) and private property owners (£35,000).

Members asked questions, and received clarification, on the level of professional fees.

The Cabinet agreed to approve the submission of a bid to Historic Scotland for a Conservation Area Regeneration Scheme for Kilbirnie.

9. Barony Church, Main Street, West Kilbride

Submitted report by the Solicitor to the Council on developments regarding the removal of the decking from the churchyard at Barony Church, Main Street, West Kilbride.

On 6 June 2012, the Cabinet refused a request by West Kilbride Community Initiative Limited (WKCIL) to amend its lease of the former Barony Church to allow the retention of decking on an area not covered by the lease. The Cabinet agreed that the Initiative be instructed to remove the decking within a reasonable time. WKCIL has since advised that it does not intend to remove the decking in question. The report considered the options now open to the Council, including the implications and likelihood of success of any Court action to secure the removal of the decking.

Members asked questions, and received clarification, on the circumstances surrounding the execution of the lease to WKCIL.

The Cabinet agreed to obtain Queen's Counsel (QC) opinion on the likelihood of success of Court action to secure the removal of the decking from the former churchyard at Barony Church, Main Street, West Kilbride.

10. Early and Effective Intervention Evaluation

Submitted report by the Corporate Director (Social Services and Health) on the progress of the Early and Effective Intervention model introduced in May 2011.

The Early and Effective Intervention model became operational in North and South Ayrshire on 23 May 2011. It moves away from the traditional response of automatic referral to the Scottish Children's Reporter Administration (SCRA) and attempts to deal with low level offences in a timely and proportionate way. From 23 May 2011 to 31 March 2012, 80 young people involved in offending in North Ayrshire were referred to the EEI co-ordinator. Of those, multi-agency meetings were convened in respect of 19 young people and a range of supports and interventions made available. The remaining 61 received standard police warnings. To date, 80% of those young people discussed and provided with support have not been involved in re-offending.

In the year 2011/12, the offence referrals that went via SCRA averaged 103 days between the date of the offence being committed and the SCRA disposal being received, compared with an EEL average of 19 days between the offence being committed and the multi-agency disposal being made. Given the success of the initiative, discussions have taken place between the Scottish Government and the Crown Prosecution Service about extending EEL to include 16- and 17-year-olds.

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

- the success of the initiative; and
- the background to the decision by East Ayrshire Council not to participate.

The Cabinet agreed to (a) note the information contained within the report; and (b) approve the continued development of this strategy as an approach to best meet the needs of young people who offend and the communities within which they live.

11. Affordable Housing Supply Programme

Submitted report by Corporate Director (Social Services and Health) on the Affordable Housing Supply Programme relating to the introduction of Resource Planning Assumptions and the Strategic Local Programme

The report provided background information on the Scottish Government's move to 3-year budget allocations in respect of the Affordable Housing Supply Programme. Where delivery cannot be demonstrated within that timeframe, budget awards will be redistributed nationally.

The Council aims to deliver an average of 50 new units per year (150 units by March 2015). Two current projects (Copeland Crescent, Millport and Redstone Avenue, Kilwinning) will collectively deliver an anticipated 56 new homes and a further project at John Galt Primary School is expected to provide approximately 80 additional units. This brings the Council's total delivery of new homes to 136 units by March 2015, which is within acceptable parameters. The report also provided information on the key implications of a bid by Cunninghame Housing Association, in partnership with Cordale Housing Association, under the Scottish Government's 'Innovation Funding Programme'. Table 2 within the report listed potential slippage projects which would be delivered by March 2015 in the event of further funding becoming available.

Members asked questions, and received clarification, on the likely timescale for a decision in relation to the proposals by Cunninghame Housing Association in partnership with Cordale Housing Association.

The Cabinet agreed to (a) note the changes to the Affordable Housing Supply Programme relating to the introduction of Resource Planning Assumptions and the Strategic Local Programme; (b) approve the draft Strategic Local Programme and the proposed budget allocations set out at Appendix 1 to the report; and (c) authorise the transfer of land at John Galt Primary School, Irvine to the Housing Revenue Account for a nil receipt.

12. Risk Management Strategy and Strategic Risk Register

Submitted report by the Corporate Director (Finance and Infrastructure) on strategic risks facing the Council and to advise of the strategy in place for dealing with risk.

The Council's BV2 action plan highlighted the need to further embed a culture of risk management across the Authority. The Corporate Management Team (CMT) subsequently agreed a risk management improvement plan in April 2012, identifying the 6 areas for development set out in Section 2.1 of the report. Underpinning the improvement plan and ensuring that risk management is further embedded within the Authority, is the revised Risk Management Strategy, which was set out in the Appendix 1 to the report. The Strategic Risk Register was attached in Appendix 2 to the report and identifies the Council's top risks as Welfare Reform, partnership working, financial and demographic pressures and economic regeneration.

The Cabinet agreed to (a) approve the updated Risk Management Strategy set out in Appendix 1 to this report; and (b) note the Strategic Risks for the Authority contained in Appendix 2 to the report.

13. Risk Management Annual Report 2011/12

Submitted report by the Corporate Director (Finance and Infrastructure) on work carried out across the Council in relation to risk management during 2011/12 and future planned work.

The aim of the Risk Management Annual Report 2011/12, set out in the appendix to the report, is to provide an overview of risk management activities undertaken during 2011/12, highlighting examples of good practice implemented during 2011/12 and detailing further work which will be carried out during 2012/13.

The Cabinet agreed to note (a) the content of the annual risk management report, set out in the appendix to the report and (b) progress being made in developing the Council's approach to risk management.

14. North Ayrshire Physical Activity and Sport Strategy (Fit for the Future 2010-15)

Submitted report by Corporate Director (Education and Skills) on progress made in delivering the Strategy and seek support for its continued development.

The North Ayrshire Physical Activity and Sport Strategy, Fit for the Future 2010-2015 provides a local strategic context for the delivery of the vision of "inspiring more people in North Ayrshire to be more active, more often". The strategy identifies the ways in which the number, variety and quality of opportunities will be increased by strong partnership working across the four key themes of the Strategy, namely Opportunities, Places and Spaces, Strengthening and Developing Communities, and

Promotion and Profile. The report provided an analysis of the Strategy Action Plan and outlined progress against the four main themes. All actions and sub actions are recorded as 'green' and making good or very good progress towards overall completion.

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

- measures to maximise the benefits of the Commonwealth Games 2014, both in terms of improving the health and fitness of people in North Ayrshire and encouraging sport tourism to the area;
- the importance of encouraging older people to be more active and measures to address this; and
- the potential role of Elected Members in raising the profile of the Physical Activity and Sport Strategy and Nurturing Excellence in Culture and Sport.

Noted.

15. Sports Club Development

Submitted report by Corporate Director (Education and Skills) on progress in supporting local community sports club development.

The report summarised progress in respect of the development of community sports clubs. Four new Community Sport Hub locations were identified at Arran, Auchendarvie, Ardrossan and Largs as part of the plan agreed by SportScotland. Continued support to Kilwinning Community Sports Club has enabled the Kilwinning project to begin work during 2012 on its new premises and playing facilities. Irvine Community Sports Club has secured almost all the funding necessary to begin detailed planning while finalising funding options for modernising facilities at the Irvine site. Additional support has also been provided to a number of community organisations wishing to adopt the community sports hub approach, including Beith Community Development Trust, West Kilbride Community Sports Club and groups in Dalry, Irvine and Kilbirnie.

During the past 6 months, an increasing number of sports clubs have made approaches to North Ayrshire Council to transfer over the ownership or leases of sports facilities. The majority relate to football pitches and pavilions. Additional support has also been provided to West Kilbride Community Sports Club seeking to develop a village 'hub' or community hub model.

Noted.

16. Transport Hub - Procurement of Vehicle Route System

Submitted report by the Corporate Director (Finance and Infrastructure) on the outcome of the procurement exercise for the provision of a vehicle route system.

On 11 October 2011, the former Executive agreed to undertake a procurement exercise for the provision of a vehicle route system. The tender sought submissions from suitable companies for both outright purchase and lease of an appropriate system along with support and maintenance plans. Only two tenders met the minimum requirements at Stage 1 of the tender evaluation process and were taken forward for Stage 2 evaluation. During the post tender clarification, it became apparent that one of the tenderers was unable to meet the specification requirements, leaving Trackyou as the sole potential tenderer. The cost of purchase will be £487,064 over 3 years, with £75,239 in recurring costs.

The Cabinet agreed to (a) to award a contract for the provision and maintenance of a vehicle route system to Trackyou on the basis of a purchase, rather than leasing, plan; and (b) delegate the completion of contract documentation to the Head of Environment and Related Services.

17. Supply of UPVC Windows

Submitted report by the Corporate Director (Finance and Infrastructure) on tendering for the procurement of upvc windows

On 5 January 2012, the Council awarded an EU contract for the supply of upvc windows to Nova Group Limited. The contract period was for 12 months with an option to extend by up to a further 18 months. The company subsequently declined an extension to their contract and presented a counter-offer of a 2-month extension up to 4 March 2013 which, in order to maintain continuity of service, has been accepted. It is necessary to undertake a procurement exercise for the supply of upvc windows to deliver the window renewal programme detailed in the Housing Revenue Account Business Plan.

The Cabinet agreed to (a) approve the initiation of the procurement for the supply of upvc windows in compliance with European Union procurement regulations, for a period of three years with an option to extend for up to two years; and (b) note the 2-month contract extension agreed with Nova Group Ltd.

18. Removal and Disposal of Leachate

Submitted report by the Corporate Director (Finance and Infrastructure) on the outcome of the procurement exercise for the removal and disposal of leachate from Shewalton Area 2 Landfill Site.

On 10 April 2012, the former Executive agreed to conduct a procurement exercise for the removal and disposal of leachate from Shewalton Area 2 Landfill Site. The contract period is for 4 years from the Service Commencement Date with an option to extend for two 12-month periods at the discretion of the Council. The commencement date of the contract is 1 October 2012. The completed evaluation matrix was attached at the appendix to the report. Oran Environmental Solutions Limited scored highest against the evaluation criteria.

The Cabinet agreed to (a) award a contract for the for the removal and disposal of Leachate from Shewalton Area 2 Landfill Site to Oran Environmental Solutions Limited; and (b) delegate the completion of contract documentation to the Head of Environment and Related Services.

19. West Kilbride Community Centre: Proposed Alterations

Submitted report by the Corporate Director (Finance and Infrastructure) on tender submissions and to seek its agreement to accept the lowest priced tender for alterations to West Kilbride Community Centre, Corse Street, West Kilbride.

West Kilbride Community Centre is owned by North Ayrshire Council and leased to West Kilbride Community Association. The General Services Capital Programme provides £100,000 for the proposed alterations to centre. The overall project budget is £568,907, with the remaining £468,907 to be met from various other funding sources detailed within the report.

Infrastructure and Design Services assessed the completed Pre-Qualification Questionnaires, with the five highest scoring contractors then invited to tender. The completed evaluation matrix was attached at the appendix to the report. McLaughlin Construction Limited, Irvine, provided the lowest adjusted offer of £515,167.02.

Members asked questions, and received clarification, on the changes required to the specification to allow the project to be delivered on budget.

The Cabinet agreed to approve acceptance of the lowest competent tender of £515,167.02 from McLaughlin Construction Limited for alterations to West Kilbride Community Centre, Corse Street, West Kilbride.

20. Bail Supervision/Arrest Referral Service across South West Scotland Community Justice Authority Area

Submitted report by the Corporate Director (Social Services and Health) on the tender exercise for the appointment of a provider organisation to operate a Bail Supervision / Arrest Referral service on behalf of North Ayrshire Council.

On 27 March 2012, the Executive agreed to a tender exercise for the appointment of a provider organisation to deliver a Bail Supervision/ Arrest Referral service across South West Scotland Community Justice Authority area, on behalf of North Ayrshire Council. The contract period is 6 months with an option to extend on a yearly basis for up to a maximum of two years. The value of the contract per annum will be approximately £225,000. Two submissions met the minimum criteria and were then evaluated in terms of quality of service (60%) and cost (40%), with SACRO scoring the highest against the evaluation criteria, as indicated in Table 1 of the report.

The Cabinet agreed to award the contract to SACRO to operate the Bail Supervision/ Arrest Referral service across South West Scotland area on behalf of North Ayrshire Council.

21. Educational Services to Children with Additional Support Needs

Submitted report by Corporate Director (Education and Skills) on tenders received for the provision of Framework Agreements with external service providers for day educational services to children with additional support needs.

The report notified the Cabinet of the second round of Framework Agreements (2012-2015) for day services for children and young people with additional support needs. Seven service providers submitted tenders, all of which satisfied the minimum requirements and tenders were evaluated on the basis of the most economically advantageous tender in terms of cost and quality. Details of the service providers who submitted rates were attached as Appendix 1 to the report.

The purchasing of services under the Framework Agreement will be determined following more detailed consideration of the specific type of service provided by the service provider, the pupil's individual needs and the day rate submitted at the tender stage. It is anticipated that the value of services procured via the Framework Agreements over the three year period will be in excess of £350,000 for each service provider.

The Cabinet agreed to accept the tenders submitted by all seven service providers listed in the Appendix to the report for day educational services to children with additional support needs.

22. Irvine East/West Schools Projects

Submitted report by Corporate Director (Education and Skills) on tenders received for works to Irvine schools

On 29 March 2011, a tender process was initiated for the Irvine East and Irvine West Projects and on 20 June 2011, a design team led by Gardiner and Theobald was appointed to provide a full design and project management service for both the Irvine East and Irvine West Projects. Tenders were subsequently invited for the associated construction works, with the bidders asked to submit a single tender that would then be split into three separate contracts. The scope of the proposed works was included in Appendix A to the report. A summary of the tender returns was set out at Appendix B.

Members asked questions, and received clarification, on Morgan Sindall PLC and the location of its offices.

The Cabinet agreed to accept the most economically advantageous tender as submitted by Morgan Sindall PLC (Organisation A) for the sum of £15,723,119.27 to carry out the proposed construction works associated with the Irvine East/West Schools Projects.

23. Exclusion of the Public and Press

The 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 item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 8 of Part 1 of Schedule 7A of the Act.

24. Purchase of ex-Council Housing (Previously Subject to Right to Buy)

Submitted report by Corporate Director (Social Services and Health) on a new policy approach to increase the supply of housing in high demand areas by purchasing ex-Council housing offered for sale on the open market

The Council has identified £1 million of funding to allow the purchase of second hand, ex-Local Authority homes. The report detailed a policy approach to allow the purchase properties located within the most highly pressured areas in mainland North Ayrshire. 'Ceiling costs' for the purchase of properties, including repairs to bring them up to a lettable standard, were set out in the report. The approach would comply with the strategic investment priorities identified within the Local Housing Strategy 2011-2016.

The Cabinet agreed (a) to approve the policy approach detailed within this report and (b) to grant delegated powers to the Head of Community Care and Housing for the purchase of ex-Council housing in accordance with the policy approach set out in the report.

The meeting ended at 3.50 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

4 September 2012

Cabinet

| | |
|------------------------|---|
| Subject: | Projects Funded from Landfill Communities Fund (LCF) 2012/13 |
| Purpose: | To seek Cabinet's agreement for a programme of projects to be funded through the Landfill Communities Fund (LCF) 2012/13. |
| Recommendation: | That Cabinet agrees to approve (a) the programme of projects set out in the report, to be funded from the Council's Landfill Community Fund (LCF) in 2012/13; (b) the re-allocation of £2,000 of the LCF monies awarded previously to Drybridge Woodland Group in 2004/05 to RSPB for works at Bogside, Irvine; and (c) the allocation of any excess LCF monies from the 2012/13 budget to the footpath project at Easmor on Arran. |

1. Introduction

- 1.1 The Landfill Communities Fund (LCF) is a tax credit scheme which enables the Council as a Landfill Operator to contribute money to enrolled environmental bodies to carry out projects that meet environmental objectives contained in the Landfill Tax Regulations.
- 1.2 Under the LCF, the Council, as a landfill operator can distribute up to 5.6% of its landfill tax liability to enrolled environmental bodies to fund projects within the objectives of the scheme. Enrolled bodies have to obtain approval for each project from Entrust, the regulator of the LCF to ensure the project meets the declared objectives of the scheme.
- 1.3 Since the scheme began in 1997, the Council has contributed approximately £2,129,675 to a total of 138 projects. In the current financial year 2012//13, it is anticipated that £160,000 will be available from North Ayrshire Council to fund new projects. However, due to the fact that the amount of Landfill tax is dependent on future tonnages, it is always difficult to be precise as to the final out-turn figure available for any given year.

- 1.4 It was previously reported that there has been a distinct lack of projects coming forward from the Garnock Valley area since the inception of the scheme. Following concern expressed by some of the previous Garnock Valley Members on this matter, direct action through the organisation of project workshops, in liaison with the Council's External Funding Officer, was taken to encourage a greater uptake of funding opportunities by community groups for LCF assistance and the LEADER scheme. Assistance in relation to the eligibility of potential LCF projects will continue to be offered.
- 1.5 It is, therefore, encouraging to note that some seven potential projects have come forward from the Garnock Valley area, although only four reached the stage of submitting a bid proposal, all of which are considered eligible and sufficiently advanced to proceed at this stage. It is hoped that those projects not applicable at this stage can be developed for inclusion within next year's LCF submission for consideration.

2. Current Position

- 2.1 A total of 13 projects have been submitted for funding consideration this year.
- 2.2 The projects submitted cover a wide geographical area and involve a diverse range of works:
1. Irvine Community Sports Club: Total upgrade of the boiler plant and hot water storage at the club;
 2. Friends of Easmore Ecology, Isle of Arran: Further footpath works at Easmor beauty site near Kildonan;
 3. Ayrshire Rivers Trust: Control of priority invasive non native reparation plans and restoring native biodiversity;
 4. Kyle Water Ski Club: Infrastructure works to provide a septic tank, shower and toilet facilities within the boathouse at Kilbirnie Loch;
 5. Isle of Cumbrae Initiative Company: Garrison House environmental improvements to ornamental garden, duck pond and picnic area;
 6. Barrmill Community Association: Range of environmental improvements within the village;

7. Scottish Sports Council Trust Company: Provision of a community club room for tennis and football with associated environmental landscaping at Inverclyde National Sports Training Centre, Largs;
8. Ardrossan Church of the Nazarene: Roof replacement works;
9. Scottish Wildlife Trust (SWT): Irvine Woodlands Project;
10. The Committee of Pirnmill Village Association, Isle of Arran: Replacement of Pirnmill Village Footbridge;
11. RSPB Bogside, Irvine: Programme of conservation works to 18 ha site at Bogside Flats, Irvine;
12. ANCO Community Link Project, Hunter Drive, Irvine: Provision of a multi use play area;
13. St. Margaret's Parish Church, Dalry: gable and roof repair works to Church Halls together with internal redecoration works.

2.3 An evaluation of each project (Appendices 1 and 2) was carried out using the criteria agreed by the former Infrastructure and Environment Committee in March 1998 and augmented with new sustainability criterion agreed by the Executive of North Ayrshire Council on 27 March 2012.

2.4 The sum of £160,000 together with a "re-distribution" of £2,000 from a previously undelivered project is available for distribution. The £2,000 arises from a project which was awarded £6,000 funding in year 2004/05 but has been unable to proceed due to a lack of ownership. The former Executive agreed on 27 March 2012 to re-distribute the other £4,000 of this award to Kilwinning Community Sports Club.

3. Proposals

3.1 The LCF budget is oversubscribed this year, with the 13 projects looking for total funding of £196,706.61. To meet the available budget of £160,000, funding for the proposed projects at Eamor on Arran and Ardrossan Church of the Nazarene is to be phased over 2 years, with Phase 1 funding this year and both groups being invited to re-apply next year for Phase 2 works. In addition, a staged payment of funds is proposed for the project works suggested by Barrmill Community Association. These aspects are detailed in Appendix 2 to this report thereby enabling the award of £159,466.81 from this year's LCF allocation.

- 3.2 The Cabinet is invited to approve (a) the programme of projects set out in the report, to be funded from the Council's Landfill Communities Found (LCF) IN 2012/13; (b) that Drybridge Woodland Group be instructed to re-distribute £2,000 to RSPB for conservation works at Bogside, Irvine providing total funding of £5,000 to the RSPB project in the present year; and (c) that any excess monies left over in the present year be allocated to the Easmor footpath project.

4. Implications

Financial Implications

- 4.1 The cost to the Council is 10% of the sum spent, which represents good value. If the Council does not allocate the funds, the tax has to be passed onto Customs and Excise. Funding for the 10% priming to finance the scheme is included in the Council's Budget.

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 None

Equality Implications

- 4.4 None

Environmental Implications

- 4.5 The LCF is directed towards local environmental improvement schemes that accord with the objectives of Entrust, the scheme regulator. Suitable projects can include reclamation works, projects that reduce or prevent pollution on land, projects that provide or maintain public amenities or parks, delivery of biodiversity for UK species or habitats, and projects to restore a repair a building of architectural interest. The 13 projects submitted for 2012/13 that are ready to proceed will bring local environmental and community benefits which would not otherwise be achieved.

Implications for Key Priorities

- 4.6 The LCF scheme objectives and the proposed environmental projects contribute to the implementation of the Council's Single Outcome Agreement/Action Plan and, in particular, will assist in achieving SOA outcome 12a "Our environment is protected and enhanced".

5. Consultations

- 5.1 Financial Services have been consulted on the proposals contained within the report, with no adverse comments arising.

6. Conclusion

- 6.1 The projects submitted for approval represent a variety of types of work, and benefit communities at local level within the Council's area.



IAN T MACKAY
Solicitor to the Council

Reference : RRH/LN

For further information please contact Richard Henry, Planning Officer on telephone number 01294 32477

Background Papers

None

Appendix 1 – Project Consideration

Landfill Communities Funding 2012/13: Project Consideration Evaluation Report

Evaluation Criteria

1. Job Creation

The project will lead to creation of new jobs directly or indirectly or provide training opportunities directly or indirectly.

2. Partnership Value

The project is being financially supported by one or more other organisations and the Council's contribution would form part of a total package.

3. Sustainability

The project addresses guiding principles for sustainable development to provide lasting community benefits in terms of community regeneration, enhancing environmental quality, improving accessibility, reducing carbon emissions and improving energy efficiency.

4. Education and Research

The project will provide educational or research benefits to the local community.

5. Council Support

The project has been proposed by a Council department, and is on Council-owned land, or has been put forward by a local Councillor.

6. Policy Support

The project is promoted in a document which defines Council policy, eg a Local Plan, Housing Plan, Local Transport Strategy etc.

| Project | Amount requested | 1 | 2 | 3 | 4 | 5 | 6 | Total | No in Priority type |
|--|--|----------|----------|----------|----------|----------|----------|--------------|----------------------------|
| Irvine Community Sports Club: Total upgrade of the boiler plant and hot water storage at the club | £30,000 | * | * | * | | * | | 4 | 4 |
| Friends of Easmor Ecology, Isle of Arran: Further footpath works at Easmor beauty site near Kildonan | Phase 1 – £13,783 Phase 2 – £13,736 | * | | * | * | | | 3 | 2 |
| Ayrshire Rivers Trust: Control of priority invasive non native riparian plants and restoring native biodiversity | £3,074.21 | * | * | * | | | * | 4 | 3 |
| Kyle Water Ski Club: Infrastructure works to provide a septic tank, shower and toilet facilities within the boathouse at Kilbirnie Loch | £8,000 | | * | * | | * | | 3 | 3 |
| Isle of Cumbrae Initiative Company: Garrison House environmental improvements to ornamental garden, duck pond and picnic area | £2,270 | * | * | * | * | | | 4 | 3 |
| Barrmill Community Association: Range of environmental improvements within the village | £26,700 | * | * | * | * | * | * | 6 | 4 |
| Scottish Sports Council Trust Company: Provision of a community club room for tennis and football with associated environmental landscaping at Inverclyde National Sports Training Centre, Largs | £10,000 | * | * | * | * | | * | 5 | 3 |

| Project | Amount requested | 1 | 2 | 3 | 4 | 5 | 6 | Total | No in Priority type |
|---|--|---|---|---|---|---|---|-------|---------------------|
| Ardrossan Church of the Nazarene: Roof replacement works | Phase 1 – £18,152 Phase 2 – £18009.60 | | * | * | * | * | | 4 | 3 |
| Scottish Wildlife Trust (SWT): Irvine Woodlands Project | £8,165 | * | * | * | * | | * | 5 | 3 |
| The Committee of Pirnmill Village Association, Isle of Arran: Replacement of Pirnmill Village Footbridge | £1,500 | | * | * | | * | | 3 | 3 |
| RSPB Bogside, Irvine: Programme of conservation works to 18 ha site at Bogside Flats, Irvine | £5,000 | * | * | * | * | | * | 5 | 3 |
| ANCHOR Community Link Project, Hunter Drive, Irvine: Provision of a multi use play area | £17822.60 | | * | * | | * | * | 4 | 3 |
| St Margaret's Parish Church, Dalry: gable and roof repair works to Church Halls together with internal redecoration works | £20,000 | | * | * | | * | * | 4 | 3 |

Shaded Columns indicate evaluation score in priority categories of job creation, partnership value, sustainability and Council support.
Geographical Distribution

Landfill Communities Funding to date by geographical area

| Area | No of Projects | Funding £ |
|--------------------------------|-----------------------|----------------------|
| Irvine/Kilwinning | 39 | 757,627 |
| Ardrossan/Saltcoats/Stevenston | 26 | 361,820 |
| Arran | 21 | 261,070 |
| Garnock Valley | 18 | 186,990 |
| North Coast and Cumbraes | 27 | 448,266 |
| District wide projects | 6 | 91,016 |
| TOTAL | 137 | 2,127,175 |

Appendix 2 – Programme of projects to be considered for LCF 2012/13

| Project | Funds Requested | Evaluation Score | Recommendation |
|--|-----------------|------------------|--|
| <p>Irvine Community Sports Club: Total upgrade of the boiler plant and hot water storage at the club</p> <p>The project is an integral part of comprehensive works proposed by the Community Sports Club. Most of the basic clubhouse facilities have remained unchanged since the founding of the club and a major upgrade is now needed if the club is to meet the sporting needs of the Irvine community in the 21st century. The Sports Club applied for LCF last year for replacement windows to the clubhouse but was unsuccessful as the fund was oversubscribed and was invited to re-apply this year. The Sports Club have re-assessed their priorities in terms of comprehensive works at the clubhouse and have come forward with a new proposal. The existing changing and shower facilities are totally unsuitable for mixed male/female and adult/children use and total restructuring and upgrade of these facilities is planned. The existing gym is also now inadequate for a hugely increased demand and an extension and upgrade is proposed. It is considered that the boiler plant and water storage system, which are essential to provide showers at an outdoor sports facility and have survived mainly unchanged since the clubhouse was built in 1972, are now both unreliable and energy inefficient. Plans have been drawn up for all of these developments under the heading Irvine Community Sports Club Legacy Project and planning permission was granted on 20 July 2012 for this proposed development. The total cost of the entire project has been costed at just in excess of £1m and discussions about funding are currently being held with Sportscotland, North Ayrshire Council and the Robertson Trust with a contribution being made by Irvine Sports Club and a loan from the Energy Saving Trust.</p> | £30,000 | 4/4 | Fund subject to project registration with Entrust. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|---|---|------------------|--|
| <p>A grant of £30,000 is requested from the Landfill Communities Fund for the total upgrade of the boiler plant and hot storage at the club which is estimated to cost £100,000 in total. The club board is confident that the entire development is a realistic goal but even if some aspects prove unachievable, the refurbishment of the boiler plant and associated hot water equipment will need to be carried out as it is simply not sustainable in its present state. The replacement of the boiler plant and associated equipment with a new system is considered essential and will be energy efficient and environmentally friendly. NAC's Physical Activity Sports Strategy includes a specific commitment of supporting facility development plans at Irvine Sports Club.</p> | | | |
| <p>Friends of Easmor Ecology, Isle of Arran: Further footpath works at Easmor beauty site near Kildonan</p> <p>This project will be situated in an area of scenic beauty in Arran. The land is under private ownership but is fully accessible by the public. The project forms part of a larger plan for the site which includes an Ecology Centre, reception building and Hydro-electric power station. Approximately 950 m of paths, suitable for powered wheelchairs have been laid on the site. Landfill funding of £61,093 was provided over the last 4 years for path improvement works, related path boundary fencing and environmental improvements to the viewing platform area. The group has requested funding for the creation of 446 metres of all ability paths on the east side of the project site which will enable access to a previously inaccessible area of gorge woodland. Access will enable volunteers to actively engage with the conservation management of the woodland allowing transformation back to natural woodland habitat. The site has spectacular views from the west over Pladda and Ailsa Craig. The overall objective is to make the whole path</p> | <p>Phase 1 – £13,783</p> <p>Phase 2 – £13,736</p> | 3/2 | <p>Agree to award funding of £13,783 and invite the group to re-apply next year for phase 2 works; also agree that any excess funding from the current year be awarded to the group.</p> |

| Project | Funds Requested | Evaluation Score | Recommendation |
|---|-----------------|------------------|--|
| network accessible for wheelchair users running from the bottom to the top of the Eas Mor gorge. The group are a registered charity and company limited by guarantee that is registered with Entrust. The project already has Entrust registration and the group has indicated that a phased operation over 2 years could be carried out in the event of the LCF budget being oversubscribed for the current year. Phase 1 works for the current year costing £13,783 would address the preparation of 446 metres of path with the provision of base stone and finish some 100 metres of path works with a top dressing of fines; Phase 2 works next year would complete and top dress the remaining path elements at a cost of £13,736. | | | |
| <p>Ayrshire Rivers Trust: Control of priority invasive non native riparian plants and restoring native biodiversity</p> <p>Ayrshire Rivers Trust (ART) has been controlling Giant Hogweed for some years now on the River Ayr. In 2011 ART commenced a wider project to tackle 3 priority species (Giant Hogweed, Japanese Knotweed and Himalayan Balsam) across Ayrshire funded largely by INTERREG IV, a European Regional Development Fund. This 4 year project aims to halt the spread of the target species and reduce the extent of their distribution in Ayrshire. In 2010 ART applied for and received £3,000 of match funding for the Ayrshire wide project with North Ayrshire works extending to the control of Giant Hogweed along the River Garnock and tributaries, lower River Irvine, Annick Water and the Shewalton ponds. ART also co-ordinated Himalayan Balsam control in the upper Garnock. This is the first time that control of Giant Hogweed had been undertaken in a strategic and comprehensive manner. Giant Hogweed present a particular danger to the public as its sap causes recurring photo-dermatitis when in contact with human skin. ART hosted a training course for volunteers to</p> | £3,074.21 | 4/3 | Fund subject to project registration with Entrust. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|---|-----------------|------------------|--|
| <p>equip participants with the qualifications and equipment necessary to use chemical spray or injection in proximity to watercourses. The Interreg project will allow ART to maintain and expand the control of these invasive plant species over the next 3 years, delivering an invaluable service to communities in North Ayrshire. The project is 75% funded by the EU, providing a high level of gearing for locally secured funds. The total project costs over the 5 years are £347,611.50 and Art are seeking a contribution of £3,074.21 from each of the 3 Ayrshire Councils. All areas treated in North Ayrshire in 2011 will be revisited along with further Himalayan Balsam control on the River Garnock, Giant Hogweed control on roadside verges and the community woodland south of Torranyard on the A736. Art will also be surveying the coastal burns as they know Himalayan Balsam is present on the Stevenston Burn.</p> | | | |
| <p>Kyle Water Ski Club: Infrastructure works to provide a septic tank, shower and toilet facilities within the boathouse at Kilbirnie Loch</p> <p>The club has operated at Kilbirnie Loch since 1957. It currently rents a unit from the Council at Lochshore and has an adjoining portable building of their own. The rented unit provides storage for the ski boat and for the Club's skiing and sundry equipment. The portable building has a lounge, kitchen and further storage. There is no mains power, potable water or sewerage disposal available at Lochshore. The lack of waste disposal leaves the Club no alternative but to provide a chemical toilet facility which creates a number of issues including availability to others, disposal arrangements and amenity concerns. The project involves the provision of a septic tank and flushing toilet within the boathouse thus replacing the chemical facility. A new shower facility will also be provided and the enhanced facility will include provision for disabled use. The total project cost is estimated at</p> | £8,000 | 3/3 | Fund subject to registration with Entrust. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|--|-----------------|------------------|--|
| £9,000. The Club will provide £1,000 and are requesting remainder funding of £8,000. The project is supported by the Kilbirnie Loch Management group and local Councillors on the Group. SEPA has indicated that the provision of such a facility is acceptable at this location. | | | |
| <p>Isle of Cumbrae Initiative Company: Garrison House environmental improvements to ornamental garden, duck pond and picnic area</p> <p>The community company, which was established in 2009, propose to carry out a range of environmental improvement works to land to the rear of Garrison House on Millport. The works comprise regenerating the ornamental garden, clearing out the duck pond and levelling parts of the site to re-establish an area attractive for all the family. The main aim is to bring back to life the ornamental garden and pond with exotic trees and bamboo type trees. It will help compliment the adjoining proposed Community Garden which received funding of £130,000 approx from the Big Lottery Community Spaces programme and will provide a valued visitor attraction and assist in the regeneration of the area. The project has the support of the local community and the group's partner Cumbrae Community Development Company. Funding will cover the hire of necessary equipment (skips and chippers) and the purchase of tools to allow the works to be carried out by local volunteers as well as being supported by British Trust for Conservation Volunteers (BTCV) Scotland.</p> | £2,270 | 4/3 | Fund subject to registration with Entrust. |
| <p>Barmill Community Association: Range of environmental improvements within the village</p> <p>The Community Association are proposing a comprehensive range of environmental improvement works including the following:</p> <ul style="list-style-type: none"> a) Architectural street art comprising the provision of a mini viaduct and a mill wheel at each end of the village to | £26,700 | 6/4 | Subject to Entrust registration and any necessary planning permission for the various proposals, agree to phase payment of |

| Project | Funds Requested | Evaluation Score | Recommendation |
|---|-----------------|------------------|--|
| <p>represent the historical industrial base of the village;</p> <p>b) Enhancement to Bellgrove entrance by the provision of a drystone dyke feature possibly with some raised flower beds. These works would be carried out by voluntary labour with potentially some trainee input from Auchencruive students;</p> <p>c) The resurfacing of existing paths;</p> <p>d) The provision of interpretation boards at the Grove and Deadmans Hollow to provide information about the history of the area, an explanation of names along with wildlife details; and</p> <p>e) New planting and improvements to the graveyard at Deadmans Hollow including perimeter fencing.</p> <p>The total project cost is £26,700 with a request for LCF for the full amount. However, it should be noted that funding for other environmental works within the village have recently been completed such as a Beechgrove garden project at Vale Burn comprising path construction works including board walks for easier access, planting and provision of a viewing area. Other improvement works are planned for the future and will follow the preparation of a detailed environmental audit for the village. In addition, the group are pursuing other funding sources such as LEADER for assistance with the environmental audit of the village. A significant element of the works will be carried out by volunteers and the project is supported by Cllr Robert Barr.</p> | | | <p>£23,700 now with balance of £3,000 due in May 2013 (to assist Financial Services with budgetary programming). The phased release of monies is acceptable to Barrmill Community Association.</p> |
| <p>Scottish Sports Council Trust Company: Provision of a community club room for tennis and football with associated environmental landscaping at Inverclyde National Sports Training Centre, Largs</p> <p>The Centre has invested in upgrading the tennis courts and football areas to a modern standard making them attractive to community users and now requires upgrading an adjoining hut property to make</p> | £10,000 | 5/3 | Fund subject to registration of the project with Entrust. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|--|--|------------------|---|
| <p>it weather proof and serviceable as a community club room for tennis and football groups, whilst using the outdoor facilities. The building is structurally sound and proposed works comprise new roofing, windows, door, rough casting and decoration, both externally and internally. Shower and toilet facilities are in the main sports hall, a short walk from the facility, so are not needed in this location. It is also proposed to carry out environmental works to landscape around the new club room, making the facility attractive to local users. This environmental work will consist of soft landscaping, grass seeding, tree planting and the provision of outdoor benches and a decking area for viewing the activities on the tennis and football areas. School groups playing tennis or football will benefit from the enhanced club/meeting/assembly room facility and it is anticipated that extra hours will be offered to part time staff to maintain and set up the new sports facilities which would increase a part time job to a full time job. The project will also enhance the tennis and football facilities available in Largs.</p> <p>The proposal is estimated to cost a total of £20,000 and a contribution of £10,000 is sought from LCF with the balance coming from "Britvic Groundwork Transform Your Patch Project Scheme" (£5,000) and Sportscotland (£5,000).</p> | | | |
| <p>Ardrossan Church of the Nazarene: Roof replacement works</p> <p>The project for the C(S) Listed Building is to have the roof stripped and re-slatted using a good quality slate. A report from a local roofing company clearly indicates previous poor workmanship to roof repairs and recommends a full strip and re-slate job to rectify the matter. As a direct result of the condition of the roof, the Church's present insurers have removed all cover on the roof until it has been replaced. In addition the Church wish to carry out identified electrical improvements within the building to make it</p> | <p>Phase 1 – £18,152</p> <p>Phase 2 – £18,009.60</p> | 4/3 | Agree to award funding of £18,152 subject to Entrust registration and invite the group to re-apply next year for phase 2 works. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|---|-----------------|------------------|----------------|
| <p>more energy and cost efficient with saving being re-invested in further developments. Total roof works are estimated to cost £34,304 with a scaffolding acquisition cost of £1,000 for necessary building maintenance and repairs and electrical works costing £1,330.80 giving a running total of £36,634.80. No partnership funding is proposed although the Church has tried unsuccessfully to get grant assistance from the All Churches Trust Ltd (owners of Ecclesiastical Insurance Group). The Church has indicated that a phased operation over 2 years could be carried out in the event of the LCF budget being oversubscribed for the current year. Phase 1 works for the current year would relate to 50% of the necessary roof repairs costing £18,152 and Phase 2 works next year for the remainder would cost £18,009.60 which allows for a 5% contingency for price increase.</p> <p>Significant fund raising has been carried out by the Church over the last 4 years to improve the condition of the property. Irvine Bay Regeneration Company assisted initially by commissioning a report to help the Church identify the main issues that required attention along with indicative costs; this assisted the Church prepare an action plan of works to be tackled.</p> <p>Community Energy Scotland funding was awarded to carry out an energy efficiency audit for the Church property. Some £60,000 has been raised to carry out major internal and external improvements.</p> <p>Ayrshire and Arran Health Board provided funding assistance for external ground works and the creation of raised beds for growing vegetables for use in the community kitchen. Big Lottery Coastal Communities funding in partnership with Greenway and the Ayrshire Community Trust have helped create small spaces for local food production. A second application to the Coastal Communities Fund in partnership with Ayrshire Community Support Services has been made to further</p> | | | |

| Project | Funds Requested | Evaluation Score | Recommendation |
|---|-----------------|------------------|--|
| <p>develop the community food programme. A grant was received for energy efficiency measures totalling £3,000 with the Church adding 10% as their contribution together with 2 donations from local churches. The last two aspects requiring attention are the proposed works to the Church roof and a replacement programme for the windows which will cost £110,000.</p> <p>The Church runs a community café, operates a “foodbank” project for the needy, assists people with diabetes, alcohol and narcotic problems, runs a children’s community cinema and a community food programme, has a community choir, an art class, craft club, two youth groups for primary and secondary school children and a parents and toddlers group. The Church has some 360 people per week using its facilities excluding the 80 members who attend Sunday services.</p> | | | |
| <p>Scottish Wildlife Trust (SWT): Irvine Woodlands Project</p> <p>SWT is currently implementing a 4 year programme of work to restore and enhance its woodland reserves in North Ayrshire. The project aims to develop the character of 6 woodlands in the area and enhance community access to and enjoyment of the reserves. These objectives will be achieved through a range of activities supporting native woodland species, access improvements and habitat enhancements. The project is part funded by Woodlands In and Around Towns (WIAT) and received LCF grant support of £10,773 in Year 1 of the project and £9,223 in Year 2. The current proposal for Year 3 of the project is to cover Oldhall Ponds, Perceton Wood, Shewalton Wood, Corsehillmuir Wood and Sourlie Wood. The project activities to be implemented include the management of hedges and wildflower meadows, path improvements and weeding 500 recently planted young trees at Oldhall Ponds; dangerous tree survey and making safe of hazardous trees, removal of non-native</p> | £8,165 | 5/3 | Fund subject to project registration with Entrust. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|--|-----------------|------------------|--|
| <p>saplings and path management at Perceton Wood; improvement of paths and pruning of pathside trees, removal of fly-tipping, dangerous tree survey and making safe of hazardous trees, care of newly planted native trees and shrubs and management of tree nursery at Shewalton Wood; footpath clearance, dangerous tree survey and felling of hazardous trees and the felling of 10 mature non-native trees at Corsehillmuir Wood; and improvement of path edges, felling of 6 mature sycamore and larch, dangerous tree survey and felling of hazardous trees and National Vegetation Classification Survey at Sourlie Wood. Much of the proposed work would be carried out by supervised SWT Conservation Teams thereby providing valuable training for groups of local unemployed people. Some work will also be undertaken by local volunteers. The 6 woodlands in Irvine are Corsehillmuir Wood, Sourlie Wood, Lawthorn Wood, Oldhall Ponds, Perceton Wood and Shewalton Wood. The work for the present year will cost a total of £22,761. SWT has received a grant from WIAT for £12,527 and SWT are contributing £2,069 (for management and administration elements) and have requested that the Council consider supporting the project by meeting the shortfall of £8,165 in the current year.</p> | | | |
| <p>The Committee of Pirnmill Village Association, Isle of Arran: Replacement of Pirnmill Village Footbridge</p> <p>The project involves the replacement of the footbridge within the centre of the Pirnmill which was washed out to sea following spate conditions in 2010. A footbridge has been in place over the Altgolach Burn in the centre of Pirnmill village for more than 100 years. The Council provided a replacement footbridge back in 1981, at which time, despite doubts over ownership of the bridge, agreed that it would maintain the facility. The Village Association contend that</p> | £1,500 | 3/3 | Fund subject to project registration with Entrust. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|---|-----------------|------------------|--|
| <p>the bridge was replaced by the Council on grounds of pedestrian safety. Since the loss of the footbridge in 2010, the Village Association have been lobbying NAC Roads Services to replace the bridge. The Council's ID (Roads) Services have advised that the Council only had a duty to maintain the original bridge whilst it was there and that they do not have a statutory duty to provide a new replacement bridge. This view has led to the present submission by the Village Association for a new bridge as they are of the opinion that safety is a greater priority than it was when a new bridge was reinstated in 1981. Their concern relates to all people using the local facilities within the centre of Pirmill, particularly the elderly and the less able. They must now use the vehicular bridge to cross the burn and argue that due to increased traffic, an impaired line of sight for south bound vehicles and having to cross via a coned off area of the south bound carriageway, safety reasons should dictate the provision of a replacement footbridge. The total project cost is estimated to be £5,000 with a funding contribution of £2,000 agreed by NAC Community Benefit Fund; the outstanding balance of £3,000 is to be split on an equal basis between ID (Roads) Services and Landfill Communities Fund (£1,500 each).</p> | | | |
| <p>RSPB Bogside, Irvine: Programme of conservation works to 18 ha site at Bogside Flats, Irvine</p> <p>The group previously requested funding back in 2010/11 for £5,000 for a programme of fencing installation and conservation works across 18ha site which forms part of the SSSI of Bogside Flats. However, due to the LCF budget being oversubscribed that year, we were unable to fund the proposal. The project remains outstanding and RSPB are still interested in pursuing the project. Bogside nature reserve consists largely of a strategically important piece of coastal and</p> | £5,000 | 5/3 | Agree to award £3,000 from LCF and re-distribute £2,000 from Drybridge Woodland Group. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|--|-----------------|------------------|--|
| <p>floodplain grazing marsh, a nationally important habitat which is listed on the UK Biodiversity Action plan. The reserve is also fringed by the estuary saltmarsh a rare but vital habitat for wetland wildlife. Both types of habitat have experienced widespread loss and degradation over the last 60 years and RSPB are looking to maintain and enhance the site with specific conservation measures such as grazing and water management to prevent the further loss of native wildlife. The site has been recently acquired with the support of SNH. The total project cost is £5,964 with contributions of £464 and £500 from RSPB and Irvine Bay Regeneration Company respectively to the overall project cost. The project is also supported by Scottish Natural Heritage and NPL Estates (neighbouring landowner) and will help deliver the aims of the Ayrshire Local Biodiversity Action Plan. Local volunteers will assist with the project works which have already been registered with Entrust.</p> | | | |
| <p>ANCHO Community Link Project, Hunter Drive, Irvine: Provision of a multi use play area</p> <p>The community link project by ANCHO is to create a much needed multi use games area for children aged 8-12 years within an area of unused ground at Hunter Drive in Irvine. At present there are similar facilities in Dickson Drive nearby but this is not suitable for younger children aged 8-12 years as it is adjacent to a busy road and a bus route. Detailed consultation has been held with the young people and local residents. The project would involve reinstating an under used former drying green into a place where young people can play in a safe and positive environment. The proposed area is at the rear of a maisonette block and is an enclosed area. The new multi use games area will have a 2 m high quality galvanised and powder coated mesh fence with pedestrian gate and goal ends.</p> | £17,822.60 | 4/3 | Fund subject to project registration with Entrust and any necessary planning permission. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|--|-----------------|------------------|---------------------------------------|
| <p>Grass is to be kept as the playing surface. The total cost of the proposal is £25,428.60 and LCF assistance of £17,822.60 has been requested. ANCHO will provide the remainder balance funding of £10,000. ANCHO already operates in this Irvine area of deprivation where it targets assistance to all local residents across the age divide with employment assistance, welfare rights and benefits, literacy support, IT training, substance abuse, and youth clubs for the 8-11 and 12 + age groups. The work of the group is geared towards social inclusion and closely correlates with a number of the SOA outcomes. Previous LCF assistance of £20,000 for a community garden was awarded in 2008/09.</p> | | | |
| <p>St Margaret's Parish Church, Dalry: gable and roof repair works to Church Halls together with internal redecoration works</p> <p>St Margaret's Parish Church is a B Listed Building located at the Cross in the centre of Dalry. The Church and halls are a focal point in the community being used 7 days a week by a wide range of groups including the Womens Rural, Old Folks Treat Committee, Young Farmers, Garden Club, Dalry Action Group, Horticultural Club as well as all the Church organisations like the Boys Brigade, Girls Brigade, Sunday J-Club and toddlers groups. At present there are a number of fabric issues that require to be urgently addressed to maintain the Church Halls. The Church has an annual maintenance budget of £15,000 to cover all of its properties including the Church, Church Halls and the Manse. A 3/4 year programme of works has been identified by the Church with initial priority in the current year being the need to address water ingress through the west facing gable and broken roof tiles which has resulted in significant damage and dampness internally to the Halls and requires immediate attention. The project would involve erection of scaffolding and re-pointing of the west</p> | £20,000 | 4/3 | Fund subject to Entrust registration. |

| Project | Funds Requested | Evaluation Score | Recommendation |
|--|-----------------|------------------|--|
| <p>facing gable wall, replacement of flashings, re-tiling the kitchen roof, replacement of water damaged internal partition walls and repainting hall interior. Total estimated cost is £20,000 with a request for LCF assistance of £20,000.</p> <p>St Margaret's is currently seeking Heritage Lottery Funding for the main Church building where estimated repair costs could be in the region of £750,000.</p> <p>Notwithstanding, St Margaret's will raise money towards both the Church and Hall repairs and various funding bodies and local businesses are currently being approached to assist with these necessary repair works. Specialist survey work is scheduled to commence for the Church premises costing some £20,000 and will address water ingress and dampness issues. Improved heating, insulation and the reduction of heat loss will also be reviewed as part of the process to ensure that the buildings are properly developed to provide lasting benefit to the community. The local Councillor, Mr Robert Barr is fully supportive of the present LCF application.</p> | | | |
| TOTAL | | | Agree to Award £159,466.81 and re-distribute £2,000 |

NORTH AYRSHIRE COUNCIL

Agenda Item 4

4 September 2012

Cabinet

Subject: **Grant Offers for Outdoor Access Projects in the Financial Year 2012-13.**

Purpose: To seek the Cabinet's approval for the acceptance of the grant offers and the implementation of the associated projects.

Recommendation: That the Cabinet agrees to (a) approve the acceptance of the grant offers from Sustrans Scotland's Community Links Fund and the Central Scotland Green Network Development Fund; (b) approve the proposed projects and remits to the Solicitor to the Council to implement the works; and (c) remit to the Solicitor to the Council to identify potential projects for 2013-14 onwards.

1. Introduction

- 1.1 North Ayrshire Council has received and accepted a grant offer from Transport Scotland for Cycling, Walking and Safer Streets Projects for the financial year 2012-13. The offer of £157,000 is subject to a minimum spend of 36%, and preferably above 50%, on cycling-related projects. This condition is in response to the Cycling Action Plan for Scotland which aims to increase the number of journeys made by bikes from 1% to 10% by 2020.
- 1.2 Corporate Services worked in partnership with relevant Council services and the North Ayrshire Outdoor Access Forum to identify a range of projects for implementation utilising this grant and the Council budget provision for outdoor access. This process took account of the aims and objectives of the Core Paths Plan and Outdoor Access Strategy, proposals received from Elected Members, local communities and other Council Services and the funding criteria set out by potential external funding organisations.

- 1.3 Funding applications were then submitted to the Central Scotland Green Network (CSGN) Development Fund and Sustrans Scotland's Community Links Fund to ensure best value and maximise the number of projects that could be delivered. Appendix 1 provides a summary of the applications submitted to the two funds.

2. Current Position

- 2.1 Offers of funding totalling £286,000 have been received from the CSGN Development Fund and Sustrans Scotland. Appendix 2 provides a breakdown of the grant offers and a summary of the projects proposed for implementation.

3. Proposals

- 3.1 The Cabinet is invited to agree to:-
- (a) Approve the acceptance of the grant offers from Sustrans Scotland's Community Links Fund and the CSGN Development Fund;
 - (b) Approve the proposed projects and remits to the Solicitor to the Council to implement the works;
 - (c) Remit to the Solicitor to the Council to identify potential projects for 2013-14 onwards in partnership with Elected Members, local communities and the North Ayrshire Outdoor Access Forum.

4. Implications

Financial Implications

- 4.1 The costs associated with implementing the projects outlined in Appendix 2 will predominantly be met from a combination of external grant funding, the CWSS grant allocation and the Council budget provision for outdoor access. A report was submitted by Environment and Related Services to the North Coast Area Committee on 23 August 2012 requesting a £50,000 contribution towards the upgrade of National Cycle Network Route 75 from the Largs Car Park Fund.
- 4.2 The works undertaken will result in a substantial deferment of the Council's maintenance responsibilities and costs in relation to the paths for a significant period of time. This could equate to 10 -15 years as the projects will result in the paths being upgraded to an "as new" condition.

Human Resource Implications

- 4.3 There are no Human Resource implications arising from this Report.

Legal Implications

- 4.4 Where necessary traffic orders, path creation agreements and other legal agreements will be promoted. A Planning Application will be submitted for the National Cycle Network Route 75 between Anthony Road, Largs and Largs Yacht Haven as the extent of the works exceeds the Council's Permitted Development Rights under the Planning, etc. (Scotland) Act 2006.

Equality Implications

- 4.5 The projects will provide increased opportunities and improved access for all ages and abilities to the Council owned path network in North Ayrshire.

Environmental Implications

- 4.6 The projects will provide increased opportunities for active travel including cycling and walking. This in turn will promote modal shift which will improve health and well-being of communities, reduce the use of private cars and improve the air quality within North Ayrshire.

Implications for Key Priorities

- 4.7 The implementation of these projects contributes to Single Outcome Agreement Outcomes 1(b), 6(a), 7(c), 9(c), 10(c) and 12(a) and the Healthy and Active Action in relation to the implementation of the Outdoor Access Strategy. This will also assist in achieving a number of the aims and objectives of the Core Paths Plan, Local Transport Strategy and Council Plan.

Community Benefit Implications

- 4.8 The potential for the inclusion for of Community Benefit clauses will be investigated on a project by project basis through the procurement process.

5. Consultations

- 5.1 Environment and Related Services and Infrastructure and Design Services have been consulted on the proposed projects and support their implementation. Consultation has been undertaken with the North Ayrshire Outdoor Access Forum who also support their implementation.
- 5.2 The projects are based on proposals received from Elected Members, local communities, other Council Services and external partner organisations. Public consultation on the details of the projects for example path design and specification will be undertaken on a project by project basis.

6. Conclusion

- 6.1 The implementation of the projects will result in significant improvements to the path network within Council ownership. This will assist in achieving a number of the aims and objectives of the Core Paths Plan, Outdoor Access Strategy, Single Outcome Agreement, Local Transport Strategy and Council Plan.



IAN T MACKAY
Solicitor to the Council

Reference : LK/TF

For further information please contact Louise Kirk, Access Officer on telephone number 01294 324766

Background Papers

North Ayrshire Core Paths Plan
North Ayrshire Council Plan
North Ayrshire Local Transport Strategy
North Ayrshire Outdoor Access Strategy
North Ayrshire Single Outcome Agreement

APPENDIX ONE – FUNDING APPLICATIONS SUBMITTED 2012/13

The following tables provide a summary of the funding applications submitted to date in 2012/13:

Sustrans Scotland Community Links Fund Applications – Construction Projects

| Project Title and Summary | Estimated Cost | Community Links Fund Contribution Applied For | Potential NAC/CWSS Contribution |
|--|-----------------|---|---------------------------------|
| NCN route 7 and 73 All Abilities Improvements <i>Removing barriers to all abilities access from the network e.g. chicanes and installing accessible alternatives.</i> | £20,000 | £10,000 | £10,000 |
| NCN Route 7 Kilbirnie Community Links <i>Upgrading the existing link paths to the NCN from Kilbirnie Town to an all abilities access and multi user standard.</i> | £50,000 | £25,000 | £25,000 |
| NCN Route 7 Kilwinning Station Link <i>Upgrading the existing paths to an all abilities access and multi user standard to form a direct link between the Station and NCN Route 7.</i> | £80,000 | £40,000 | £40,000 |
| NCN Route 73 Brodick to Corrie Phase 3 (Construction) <i>Upgrading the existing path between Home Farm and Duchess Court to an all abilities access and multi user standard.</i> | £70,000 | £35,000 | £35,000 |
| NCN Route 73 Springside to Dreghorn All Abilities Upgrade <i>Upgrading the existing path between Springside and Dreghorn to an all abilities access and multi user standard.</i> | £90,000 | £45,000 | £45,000 |
| NCN Route 75 Largs Path <i>Upgrading the existing path between Anthony Street, Largs and Largs Yacht Haven to an all abilities access and multi user standard.</i> | £300,000 | £150,000 | £150,000* |
| Totals | £610,000 | £305,000 | £305,000 |

*An application has been submitted to the Largs Car Park Fund by Environment and Related Services (ERS) for £50,000 towards this project. This will be considered by the Largs Area Committee on 23 August 2012.

Sustrans Scotland Community Links Fund Applications – Study/Design Projects

| Project Title | Estimated Cost | Community Links Fund Contribution Applied For | Potential NAC/CWSS Contribution |
|---|----------------|---|---------------------------------|
| Irvine Cycle Friendly Town Study <i>A study to examine the current provision for paths within Irvine and identify the improvements required to promote the town as cycle friendly to increase active travel.</i> | £30,000 | £15,000 | £15,000 |
| NCN Route 73 Brodick to Corrie Phase 4 (Design) <i>The development of a design for the section of path between Cladach and Merkland.</i> | £12,000 | £6,000 | £6,000 |
| NCN Route 75 Fairlie Link (Design) <i>The development of a design for the section of path between the Bowling Club and the end of Kelburn Avenue.</i> | £10,000 | £5,000 | £5,000 |
| Totals (£) | £52,000 | £26,000 | £26,000 |

Central Scotland Green Network Development Fund

| Project Title and Summary | Estimated Cost | Development Fund Contribution Applied For | Community Links Fund Contribution Applied For | Other Contributions |
|---|-----------------|---|---|---|
| Connecting Communities – Springside Green Network <i>To improve and connect local sites to create a green network, improving their value in terms of recreation and biodiversity and making them more attractive and accessible to the local community. This project was linked to the NCN Route 73 Springside to Dreghorn All Abilities Access project.</i> | £172,500 | £70,000 | £45,000 | £55,000 from NAC (including a contribution from ERS) £2,500 from Irvine Bay Regeneration Company |
| Connecting Communities – Kilbirnie Green Network <i>To improve and connect local sites to create a green network, improving their value in terms of recreation and biodiversity and making them more attractive and accessible to the local community. This project was linked to the NCN Route 7 Kilbirnie Community Links project</i> | £116,000 | £56,000 | £25,000 | £35,000 |
| Totals (£) | £288,500 | £126,000 | £70,000 | £92,500 |

APPENDIX TWO – SUCCESSFUL FUNDING APPLICATIONS 2012/13

The following tables provide a summary of the successful funding applications to date in 2012/13:

Sustrans Scotland Community Links Fund Applications – Construction Projects

| Project Title and Summary | Estimated Cost (£) | Community Links Fund Contribution Applied For (£) | Potential NAC/CWSS Contribution (£) |
|---|--------------------|---|-------------------------------------|
| NCN Route 73 Brodick to Corrie Phase 3 (Construction) | 70,000 | 35,000 | 35,000 |
| NCN Route 73 Springside to Dreghorn All Abilities Upgrade | 90,000 | 45,000 | 45,000 |
| NCN Route 75 Largs Path | 300,000 | 150,000 | 150,000* |
| Totals (£) | 460,000 | 230,000 | 230,000 |

*An application has been submitted to the Largs Car Park Fund by Environment and Related Services (ERS) for £50,000 towards this project.

Sustrans Scotland Community Links Fund Applications – Study/Design Projects

| Project Title and Summary | Estimated Cost (£) | Community Links Fund Contribution Applied For (£) | Potential NAC/CWSS Contribution (£) |
|------------------------------------|--------------------|---|-------------------------------------|
| Irvine Cycle Friendly Town Study | 30,000 | 15,000 | 15,000 |
| NCN Route 75 Fairlie Link (Design) | 10,000 | 5,000 | 5,000 |
| Totals (£) | 40,000 | 20,000 | 20,000 |

Central Scotland Green Network (CSGN) Development Fund

A revised offer of £36,000 has been received from the Development Fund for the Connecting Communities – Kilbirnie Green Network project. This is unfortunately £20,000 less than the £56,000 applied for however the scheme was heavily oversubscribed. The scope of the works to be undertaken is currently being agreed with the funder however it will meet the original aims of the project:

To improve and connect local sites to create a green network, improving their value in terms of recreation and biodiversity and making them more attractive and accessible to the local community.

NORTH AYRSHIRE COUNCIL

Agenda Item 5

4 September 2012

Cabinet

Subject: **Scottish Government Consultation: Proposals for the Integration of Adult Health and Social Care**

Purpose: To bring the Cabinet a draft response to the Scottish Government consultation.

Recommendation: That Cabinet agrees to (a) consider the draft response in detail; and (b) approve a final response for submission by 11 September 2012.

1. Introduction

- 1.1 The Scottish Government intends to legislate to effect the integration of adult health and social care. It will do this by abolishing the existing Community Health Partnerships, which are committees of NHS Boards and instructing NHS Boards and local authorities to form integrated Health and Social Care Partnerships (HSCPs), which will be committees of both bodies. It is expected that HSCPs will be in place by Spring 2014. These proposals should be seen in the context of the work that is being undertaken to develop Community Planning Partnerships, including the proposed Community Empowerment and Renewal Bill. The successful establishment of HSCPs will be the first test of these new arrangements.
- 1.2 The proposals have been the subject of briefings to, and discussions with, Elected Members by the Corporate Director (Social Services and Health).
- 1.3 The objectives of the integration of adult health and social care as set out in the Cabinet Secretary's Forward to the consultation document are:-
- To integrate health and social care services around the needs of the people who use them, their families and carers;
 - That there will be strong and consistent clinical and care professional leadership of services;
 - To hold providers of services jointly to account for improved delivery;

- To have flexible financial mechanisms that will give priority to the people who use services.
- 1.4 In May this year the Scottish Government published a consultation document seeking views as to the legislative and other changes that are required to ensure that integration meets its intended objectives. Responses to the consultation are due by 11 September 2012.
 - 1.5 This report is restricted to setting out the proposed response to the consultation by North Ayrshire Council. It does not attempt to address the question of what integration might look like in North Ayrshire nor does it attempt to chart the process that the Council and its partners will have to follow to achieve integration, or the impact that integration will have on these services that continue to be delivered directly by the Council. Further guidance is expected from the Scottish Government in the Autumn and, at that time, further reports will be prepared for Cabinet. By that time also the Government's plans for the future of Criminal Justice Social Work services will be known.
 - 1.6 The proposed response is based on North Ayrshire Council's being supportive of the proposals but recognising that significant work is required, particularly around issues of governance, to ensure that HSCPs function as effectively as possible.

2. Current Position

- 2.1 There are currently 34 CHPs in Scotland. There is no single operational model for CHPs. At one end of the spectrum, is the Ayrshire model where the three CHPs do not themselves directly deliver services or manage financial or other resources and at the other end is the model operated by East Renfrewshire in which all Social Work and community health functions are managed and delivered by an integrated Community Health and Care Partnership. More recently, Highland Council and NHS Highland have introduced a model of integration whereby Children's Services are delivered by the Council on behalf of both partners and Older People's services are delivered by the NHS. This involved the transfer of staff from the NHS to the Council and vice versa.
- 2.2 Scottish Government's proposals allow for either the fully integrated partnership model (as in East Renfrewshire and other authorities) or the delegated model as operated in Highland. It is unlikely that the Highland model would work in a setting such as Ayrshire where delegation would involve three local authorities and one NHS Board.
- 2.3 HSCPs will be established as committees of both the local authority and the NHS Board, accountable to the local authority, the Board and Scottish Ministers. There is to be no more than one HSCP per local authority but the possibility is left open of having an HSCP that covers more than one local authority.

- 2.4 HSCPs will, as a minimum, have responsibility for the planning and delivery of all adult social care, primary and community health services and some acute hospital services. Partnerships may decide to integrate further services.
- 2.5 Although the Scottish Government's National Strategy for Housing for Older People highlights the fundamental role of housing to support people living in the community, it is not proposed that housing should be included in partnerships. The consultation does recognise the importance of ensuring that housing is fully included in the integrated approach to service planning and provision. It will be critical that there are strong links between Joint Commissioning Strategies for health and social care planning and the Local Housing Strategy. The North Ayrshire Older People's Housing Strategy sets out clearly those actions which are needed in order to provide the housing infrastructure needed to achieve the outcome of enabling people to stay in their own houses for as long as possible. This includes the provision of preventative services (such as adaptations and handy person services).
- 2.6 HSCPs would be overseen by a partnership committee comprising equal numbers of elected members and non-executive NHS Board members. The position of chair, which would have a casting vote, would rotate annually between the local authority and the Board. In addition to these voting members, the senior officer for the HSCP, known as the Jointly Accountable Officer, lead clinicians and care professionals and representatives of patients/carers and the third sector would also be non-voting members of the partnership committee.
- 2.7 HSCPs will be jointly held to account by the Council Leader, the NHS Chair and the Cabinet Secretary. While this "community of governance" seeks to strike a balance between local democratic accountability and accountability to Scottish Ministers there are questions over the proper role of the full Council and indeed of the NHS Board which are addressed in the draft response. Partnerships will be measured against their achievement of agreed national outcomes. Initially, a national outcomes framework will be agreed for older people's services, followed in due course by a framework for adult services. Partnerships will also be measured on the extent to which they have effected the transfer of resources from hospital to community services.
- 2.8 HSCPs will be managed by a Jointly Accountable Officer (JAO). The JAO will be a senior appointment of both the Council and the NHS Board and will be a direct report of both Chief Executives.

- 2.9 The Partnerships will have responsibility for the budgets of all services for which it is responsible. The consultation document envisages those budgets "losing their identity" in the partnership and proposes that the JAO will have the flexibility to move budgets to deliver on the Partnership priorities irrespective of whether they originated in the local authority or the Board and without requiring the approval of either body. As drafted, the proposals do not specify a role for the Partnership Committee. This would seem to be a significant omission and is addressed in the draft response. The loss of identify of funds has significant governance implications. This has been recognised and a national working group has been established to identify solutions.
- 2.10 The proposals set out a duty on HSCPs to undertake planning on a locality basis, involving a full range of health and social care practitioners, local elected members, representatives of the third and independent sectors and patients' and carers' representatives. Engagement of general practitioners is seen as being key to the success of locality planning. Work on locality planning has already begun in North Ayrshire. Some of the detail of the proposals, particularly around how a locality is identified are not necessarily conducive to developing plans on for natural communities and this has been addressed in the draft response.

3. Proposals

- 3.1 The draft response is set out for members of the Cabinet in Appendix 1. The introduction to the response states North Ayrshire Council's support for the proposals and its commitment to develop and implement them. The response makes it clear that the Council's preferred option is for a single partnership for Ayrshire. This is not only the most economically advantageous model in terms of minimising management and administration overheads but is required in order to address major issues such as the problem of emergency admissions. Unless Ayrshire's situation as having the highest rate of emergency admissions in Scotland is addressed it will be impossible to free resource from the acute sector to improve community services. This issue has proved extremely difficult to tackle as three separate partnerships and requires a pan-Ayrshire solution to achieve the required scale of change.

Although the response is totally supportive of Scottish Government's proposals, it does highlight a number of issues which require further development or clarification if integration is to be successful.

The main issues addressed in the draft response are:

3.1.1 Democratic accountability and governance

- There is a need to more carefully define the role of the Leader of the Council and the legitimate role of the whole Council;
- There is a need for a standard dispute resolution process to avoid disagreement among the partners, particularly the statutory partners, having an adverse impact on outcomes;
- The draft response also points to the difficulty in identifying a representative of the third/independent sectors that could speak for the whole sector and the difficulties that might arise in terms of public procurement regulations.
- The flexibility assigned to the JAO in terms of using budgets also needs to be balanced by a clear statement of partnership outcomes and proper scrutiny by the Partnership Board and full Council;
- Further work is required on the roles of the Chief Social Work Officer and the Section 95 Officer in the new model of integrated working (Questions 2, 5, 7 and 13).

3.1.2 Scope of partnerships

- The draft response is supportive of allowing scope for a partnership covering more than one local authority while pointing out some practical issues that would have to be addressed;
- The draft response also supports allowing other budgets to be included in the partnership and points to the requirement to give particular consideration to services that deal with more than one care group;
- Further, the draft response calls for the minimum categories of spend that must be included in the partnership to be prescribed in some detail to ensure consistency and clarity (Questions 6, 9 and 12).

3.1.3 Performance measurement.

- The initial focus will be on improving outcomes for older people, measured against an agreed outcomes framework. The draft response asks that a timescale be set for developing frameworks for other care groups;

- These nationally agreed outcomes need to be set within the broader context of Community Planning and included in local Single Outcome agreements so that there is a single statement of what the statutory partners are committed to achieving on behalf of the community and to ensure that appropriate links are made to other services, such as Housing, that affect health and social care outcomes.
- Early identification of poor performance will be crucial and the ability of partnerships to scrutinise their own performance and to seek support where necessary will be of crucial importance to achieving high performance.
- We note that in the longer term a review of the functions of scrutiny bodies may be necessary (Questions 1, 3, 4 and 8).

3.1.4 Locality Planning

- The proposals suggest basing localities around clusters of GPs and of specifying population sizes for localities. In the draft response we stress the need for localities to be based on natural communities that are recognisable as such by the people who live there and not set according to criteria which are administratively convenient (Questions 18 and 20).

3.1.5 Supporting and technical issues

- The draft response highlights a number of supporting and technical issues that will need to be addressed;
- The response also points to the need for investment in performance management and other systems in order that the Partnership can develop on the basis of consistent, high quality and timely information. Reliance on a variety of legacy systems would be likely to hinder improvement activity.

- 3.2 The Cabinet is invited to (a) consider the draft response in detail; and (b) approve a final response for submission by 11 September 2012.

4. **Implications**

Financial Implications

- 4.1 The proposals for integration are not intended to result in savings but to make more effective use of the totality of resources available for social care and health services so that demographic pressures can be better addressed. There will be savings in management costs arising from integration but until a scheme and structure has been agreed for North Ayrshire these cannot be properly quantified.

- 4.2 Partnerships will have to invest in performance management and other support systems in order to ensure that the JAO, managers of integrated services and Partnership Boards have access to consistent, high quality and timely information. This would be more difficult to achieve if Partnerships had to work with legacy systems that do not talk to each other. The draft response points to the need for funding from Scottish Government in the medium term.
- 4.3 There are a number of significant issues in respect of the integration of resources into the health and social care partnership. At a national level the Integrated Resources Advisory Group has been established to progress these. The main issues are noted below:
- Accounting standards and codes of practice;
 - Treatment of VAT;
 - Financial reporting and management, including local reporting, reporting to the Scottish Government and preparation of annual accounts;
 - Financial controls, assurances and risks covering internal and external audit arrangements and the role of the Section 95 officer;
 - Risk management and the insurance implications of transferring risk;
 - Financial planning and management including calculation of contributions to the integrated budget, annual review of the contribution including pressures, inflation and efficiency savings, in year budget management and treatment of over and under spends;
 - Implication for capital budgets and use of assets.

Human Resource Implications

- 4.4 There will be significant implications for Human Resources in integration. Although the proposals do not envisage the transfer of staff, practical considerations may in time necessitate a review of this position. The draft response points to the difficulties inherent in managing a partnership whose staff have differences in salary, pensions, holiday, performance and sick leave, depending on who their legal employer is.

As with finance, there will be a large number of HR issues that the Council will have to address, both in the development of a scheme of integration and in its implementation. These will be the subject of further reports to the Cabinet.

Legal Implications

- 4.5 In drafting legislation to bring about integration, Scottish Government will seek to remove any legal obstacles that currently exist to achieving its objectives. The Council's Legal Services will be involved in framing the agreement with partners locally in line with the new legislation.

Equality Implications

- 4.6 The proposals are intended to improve services for people who fall within the public sector equality duty and have been the subject of an equality impact assessment by the Scottish Government. Proposals specific to North Ayrshire will be the subject of a specific equality impact assessment when they are developed.

Environmental Implications

- 4.7 There are no environmental implications.

Implications for Key Priorities

- 4.8 The proposals support the interim Single Outcome Agreement 2012-2013 priority "A Healthy and Active North Ayrshire."

5. Consultations

- 5.1 Extensive consultation has been undertaken with Social Services staff in face to face sessions led by the Corporate Director and Heads of Service. Approximately 350 staff attended these sessions at a variety of mainland and island locations. The main issue raised by staff, other than the impact on jobs, was in respect of the professional identity of social work and social care staff.
- 5.2 Consultations were also held with Trades Unions, service users and carers and providers. The Trades Unions will all be submitting their own responses to the consultation and we will engage further with all groups as the detailed proposals for North Ayrshire are developed.
- 5.3 The Chief Executive, Corporate Director, Finance and Infrastructure, the Solicitor to the Council and the Acting Head of HR were all invited to comment on the proposals. The Chief Executive will chair a Council wide implementation group which will oversee the development of proposals and of managing the transition to integration.

- 5.4 Consultation was undertaken with the Social Services Users & Carers Reference Group. The group welcomed the proposals and agreed that there was a need to deal with current barriers between services. The group also felt that better alignment between the three Ayrshire Councils would be beneficial to people who use health and social care services. This reflects their experience of barriers between agencies.
- 5.5 Consultation has been undertaken with North Ayrshire Housing managers and providers.

6. Conclusion

- 6.1 Scottish Government's proposals represent the most significant changes to local government since the 1995 reorganisation and are designed to bring about a significant improvement in the experience of people who use health and social care services, their families and their carers. In view of the scale of the change proposed it is to be expected that a number of issues require further detailed work, as outlined in the draft response, to ensure that the changes effect the desired improvements.
- 6.2 Further reports for decision and for information will be brought to Cabinet as the integration agenda is developed in greater detail.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : LR/KS

For further information please contact Lisbeth Raeside, Head of Service Development on telephone number 01294 317705

Background Papers

Scottish Government Consultation on the Integration of Adult Health and Social Care in Scotland

SCOTTISH GOVERNMENT CONSULTATION ON THE INTEGRATION OF ADULT HEALTH AND SOCIAL CARE.

Response on behalf of North Ayrshire Council

Introduction

North Ayrshire Council welcomes this opportunity to comment on Scottish Government's proposals for the integration of adult health and social care.

The Council recognises the strength of the case for change and is in agreement with the objectives set out in the consultation. We view these proposals as an opportunity to make major improvements in the quality of health and social care services and we are committed to working with Scottish Government and our local partners to develop and implement integration of adult health and social care in Ayrshire.

In the specific Ayrshire context, the Council is exploring with NHS Ayrshire & Arran and East and South Ayrshire Councils the issues around creating a single partnership in Ayrshire. As we have worked with partners to identify options for structural arrangements in Ayrshire we have come to the conclusion that the most effective way of delivering change, improving services and outcomes for the people of Ayrshire would be a pan-Ayrshire arrangement. This arrangement would be most economically efficient in terms of management and administrative overheads but would allow us to focus on the major issues which we believe require pan-Ayrshire solutions. Our biggest challenges are around health inequalities, where the gap is increasing and Ayrshire's position as having the highest proportion of emergency admissions in Scotland. In both areas we need Ayrshire-wide strategies if we are to deliver effective and sustainable change. While we are attempting to develop these strategies, the implementation is based on individual local authority areas. This is challenging in terms of consistency of approach, allocation of resources and tackling system wide issues.

The Council and its partners have made significant progress around reshaping care for elderly people. However, the improvements in response to those in hospital, dementia care and support, effective reablement services and improved housing options continue to be offset by increasing demand. Unless we are able to reduce emergency admissions across Ayrshire we will not be able to shift resources from reactive to anticipatory care. Effective solutions to emergency admissions will enable us to deal with rising nursing home admissions, a high proportion of which come directly from hospital. This issue has been difficult to tackle as three separate Ayrshire partnerships with the NHS and it is likely that any future arrangement which continues the three partnership position will not generate the scale of change which is necessary to improve the Ayrshire position on emergency admissions and free resource from the acute sector to improve community services.

In our response to the individual questions that follow we make reference to issues which require further development or clarification. Further work on these areas will strengthen the final arrangements for integration and make their success more likely. North Ayrshire Council is ready to work with Scottish Government and our local partners in this respect.

Question 1

Is the proposal to focus initially, after legislation is enacted, on improving outcomes for older people, and then to extend our focus to improving integration of all areas of adult health and social care, practical and helpful?

We agree that the proposed initial focus on older people is appropriate given the demographic pressures that are being experienced and forecast across all of Health and Social Care. Although the proposals will not on their own tackle the scale of demographic change they should, if successfully implemented, help to mitigate the initial impact. This focus will also build on the progress made by local partnerships in transforming care for older people under the auspices of the older people's change fund.

The extension of this focus to all areas of adult health and social care should not be long delayed as effective management of health and social care needs for the adult population can positively impact on their needs in older adulthood. This is particularly the case for those affected by long term conditions or who have health and social care needs relating to disability, mental health or addiction issues. It would be helpful to agree national timescales for the development of these further outcome frameworks.

Question 2

Is our proposed framework for integration comprehensive? Is there anything missing that you would want to see added to it, or anything you would suggest should be removed?

The Council is supportive of the framework for integration. Further work and guidance at a national level is required on the role of the Chief Social Work Officer, which could sit within the Partnership or the Council. Dependent on which services local partnerships decide to include in the scope of the partnership further work will be required at a local level to ensure that those services which contribute to both adult and children's social care (e.g. addiction and mental health services,) are not fragmented.

As the consultation itself recognises further work requires to be done on the role of housing in relation to the proposed integrated structure, the Scottish Government's Strategy for Housing for Scotland's Older People 2012-2021 clearly recognises the role that housing, and the housing sector plays in shifting the balance of care. The strategy specifically highlights the need to strengthen the connections between housing, health and social care to improve outcomes. The challenge for integration is to ensure that whatever arrangements are put in place increase the likelihood that the objectives detailed in the national strategy are achieved.

Question 3

This proposal will establish in law a requirement for statutory partners – Health Boards and Local Authorities – to deliver, and to be held jointly and equally accountable for, nationally agreed outcomes for adult health and social care. This is a significant departure from the current, separate performance management mechanisms that apply to Health Boards and Local Authorities. Does this approach provide a sufficiently strong mechanism to achieve the extent of change that is required?

A single set of outcomes that applies to each Health and Social Care Partnership should provide one element of the framework that will help to achieve the extent of change that is required to shift the balance of care. For this to have maximum effect and to avoid creating a bureaucracy around performance management the outcomes should be relatively few in number and clearly focussed on the primary goals of the Health and Social Care Partnerships. In addition to avoid conflicts between the outcomes and shorter term targets, any shorter term targets should be clearly linked towards achievement of the longer term outcomes. As noted in our response to question 4, situating the Partnership outcomes in the local Single Outcome Agreement will ensure that there is no conflict between the Partnership outcomes and other Community Planning Partnership outcomes that would contribute towards improving adult health and social care.

Question 4

Do you agree that nationally agreed outcomes for adult health and social care should be included within all local Single Outcome Agreements?

There is a wider issue to be considered here. That is, that the framework for the integration of adult health and social care should take account of the outcome of the review of community planning which is currently underway. Both proposed statutory partners in the integration of adult health and social care have statutory duties in respect of community planning. Changes made to community planning arising from the review must take account of the developing proposals for integration of adult health and social care and vice versa. To consider either issue in isolation from the other risks developing structures and processes that are not compatible with each other or that result in duplication of administrative effort which would divert resources from front line services.

We agree that adult health and social care outcomes should be included within local single outcome agreements (SOAs) since these represent a substantial part of community planning partners' activity on behalf of local people. Inclusion of these outcomes within the SOA will facilitate links to other services (e.g. Housing) that affect health and social care outcomes for adults are made. Equally, inclusion of adult health and social care outcomes within the SOA will help to ensure that these outcomes contribute to the wider community planning aspirations of the Community Planning Partnership.

Equally it should ensure that links are made with issues such as homelessness which are affected by health and social care.

Question 5

Will joint accountability to Ministers and Local Authority Leaders provide the right balance of local democratic accountability and accountability to central government, for health and social care services?

The arrangements for accountability as they are described in the consultation document focus on individuals who have the role of holding the Partnership/Committee to account, i.e. the Leader of the Council and the Chair of the NHS Board. This does not take account of the status of the Partnership as the Joint Committee of the local authority and the NHS Board. Existing legislation for local authorities does not permit delegation of functions to a single Elected Member. Empowering individuals within the partnership organisations will require amendment of at least the Local Government (Scotland) Act 1973. In the context of the local authority, it is the Council as a whole that should hold the partnership to account.

Similarly, the role given to the Chair of the NHS Board as is framed in the consultation document could be read as not taking account of the duty of the Board as a whole to hold the Partnership to account.

In order that clear understanding of the respective roles is achieved, it would be necessary to provide a detailed definition of “being accountable to” in relation to the Leader of the Council, the Chair of the NHS Board and the Cabinet Secretary.

Question 6

Should there be scope to establish a Health and Social Care Partnership that covers more than one Local Authority?

We agree that there should be scope to establish a Health & Social Care Partnership that covers more than one local authority. That is our preferred option for Ayrshire as the most effective way to deliver better outcomes for residents and to keep management overheads as low as possible by appointing a single Jointly Accountable Officer. The introduction to our response sets out in the major challenges which North Ayrshire Council believes can most effectively be addressed by a pan-Ayrshire arrangement. In practice, however, we recognise that the timescale for integration may not be long enough for this to be achieved but scope within the legislation to establish a Partnership covering more than one local authority would allow authorities, with their respective Health Boards to work towards this. We also recognise a number of potential difficulties, both practical and in terms of democratic accountability that require to be addressed to enable such a partnership to function effectively.

In, for example, a partnership covering three authorities each authority would have only one quarter of the voting rights if the proposed balance between NHS and local authority were to be maintained. Individual authorities might feel that their ability to influence the partnership was diluted in these circumstances. This would be particularly the case where the political composition of the local authorities was markedly different. Individual authorities might then consider that they were prevented from delivering the priorities on which they were elected.

Question 7

Are the proposed Committee arrangements appropriate to ensure governance of the Health and Social Care Partnerships?

We believe that the proposed Committee arrangements are appropriate to ensure governance of the Partnership. Consideration should be given to allowing for the appointment of substitutes from the statutory partners in the event that a designated member is unavailable. This would allow the balance between the NHS Board and the local authority to be maintained, thus retaining democratic accountability and preventing unnecessary delays to the business of the partnership.

It would be helpful for standard dispute resolution arrangements to be developed.

The involvement of third sector representation as a non-voting participant in partnership boards is seen as helpful towards achieving a consistent understanding among statutory and non-statutory providers of care. However, there is no one body that could be seen to represent the third sector and there is a risk that the legitimacy of the third sector representative could be called into question. Moreover, the outcome of procurement exercises could be the subject of challenge if some organisations were perceived to or actually had access to commercially sensitive discussions at the partnership board.

We believe that it would be advisable to include a housing representative as a professional adviser in order to ensure that the necessary strategic links are made.

Question 8

Are the performance management arrangements described above sufficiently robust to provide public confidence that effective action will be taken if local services are failing to deliver appropriately?

Early identification of poor performance will be crucial. Reporting against outcome frameworks and proportionate scrutiny by the Care Inspectorate and Health Improvement Scotland have a role to play in this. Arguably more important will be the ability of Partnerships to conduct robust and effective scrutiny of their own performance and to seek support where necessary. Networks for peer support from similar partnerships may also be useful, possibly based around the family groups that are being established for the SOLACE benchmarking process. In the longer term a review of the functions of the scrutiny bodies may be required to ensure that these bodies can appropriately assess the performance of the Partnership as a whole and do not place extra burdens on Partnerships by duplicating inspection exercises.

Question 9

Should Health Boards and Local Authorities be free to choose whether to include the budgets for other CHP functions – apart from adult health and social care – within the scope of the Health and Social Care Partnership?

We would support allowing NHS Boards and local authorities to include other CHP budgets in the scope of the partnership. Partnerships will have to give particular consideration as to where services that cover more than one care group are located in relation to the partnership. To avoid fragmentation there should be scope for such services to be located either within the partnership and to provide services to the NHS Board and Council as well as to the partnership or within either the Council or the Board and to provide services also to the partnership. The extent to which multiple services should be included within a single partnership will depend on local factors, including population density and geographical size. Legislation should be flexible enough to cope with a variety of local circumstances.

Question 10

Do you think the models described above can successfully deliver our objective to use money to best effect for the patient or service user, whether they need “health” or “social care” support?

Yes. However to gain maximum benefit from these models there are a number of supporting and “technical” issues that will need to be addressed in order that partnerships can focus on achieving outcomes and not on managing bureaucracy. Examples of such issues are:

- Aligning the budgetary cycles of the NHS and local authorities so that partnerships have clarity of the funding that is available to them as far as possible in advance of the start of each financial year. This will enable partnerships to make strategic decisions with regards to resource allocation.
- Longer term planning for capital investment that looks at the wider capital estate in the Partnership’s geographic area in order to make best use of public assets, regardless of ownership. This would allow the Partnership to take advantage of opportunities to co-locate services in a way that meets the needs of people who use those services rather than the convenience of the service deliverers. It would also support efforts to reshape the wider community infrastructure (including making land available for housing to meet older people’s needs and preferences).
- There needs to be investment in performance management, information, financial and Human Resource systems to ensure that Jointly Accountable Officers, managers of integrated services and Partnership Boards have access to consistent, high quality and timely information. This would be more difficult to achieve if each Partnership had to work with a number of legacy systems that had been designed to serve the requirements of a superseded structure. It is suggested that this is best developed on a national basis to achieve procurement efficiencies and to avoid duplication of effort. It is recognised that this is likely to be at best a medium term project and will require a level of funding from Scottish Government.

- Integration will challenge partnerships to create a workforce that is developed and empowered to deliver integrated models of care. The future workforce project that is being delivered by the Scottish Social Services Council is an important first step in addressing the workforce development challenge but should be expanded to include Health staff who will be part of the integrated arrangements.
- Initially people working in the Partnership will be employees of the NHS Board and one or more local authorities. Each employer will have differences in terms and conditions, affecting pay, pensions, holiday entitlement and arrangements for managing performance and sickness absence. Over time this may become difficult to manage and consideration may need to be given to standardising terms and conditions of employment in order to avoid diverting management time from front line services.

Question 11

Do you have experience of the ease or difficulty of making flexible use of resources across the health and social care system that you would like to share?

Ayrshire was a test site for the Integrated Resource Framework. In phase 1, which involved a cost-mapping exercise, there was considerable effort for little return. Not all costs could be attributed to geographical area and little has changed in terms of the allocation of resources or strategic financial decision making. While the phase two pilot projects had some success in developing new and, to an extent, integrated models of care these pilots sat within a framework of health and social care that was not integrated and subject to different management and budgetary arrangements. This placed limitations on the pilot projects.

Access to land held within the NHS is an issue in the context of reshaping housing supply in order to enable suitable housing for older people to be built to allow them to remain within their communities. Different approaches to the disposal of surplus land and approaches to determining “Best Value” have led to situations where the Council has been unsuccessful in acquiring land at affordable housing rates, with requirements within Health to achieve maximum price resulting in property being sold to the highest bidder on the open markets.

There is a need for resources to be looked at flexibly across capital and revenue.

There are also difficulties in ensuring that housing resources for adaptations which are central to achieving health and social care outcomes are available across all tenures. These different funding regimes for Council tenants, housing association tenants, private sector tenants and owner occupiers act as barriers to ensuring flexible use of resources.

Question 12

If Ministers provide direction on the minimum categories of spend that must be included in the integrated budget, will that provide sufficient impetus and sufficient local discretion to achieve the objectives we have set out?

Yes. The minimum categories of spend should be prescribed in some detail to ensure a consistency among the various partners and clarity for each partnership as to the resources that it has at its disposal. This applies equally to acute services and to secondary and social care services.

Further clarity is needed on the position of housing funding. Paragraph 2.6 states that “Where money comes from – health or social care or, indeed housing – will no longer be of consequence.” Funding for housing comes from many different sources dependent on the tenure involved: social rented (Council or Housing Association), private rented or owner occupied. The governance arrangements are also distinct with the Housing Revenue Account being ring-fenced.

Question 13

Do you think that the proposals described here for the financial authority of the Jointly Accountable Officer will be sufficient to enable the shift in investment that is required to achieve the shift in the balance of care?

We agree that it is necessary for the Partnership to have the flexibility to manage all of its resources from all funding sources, to achieve its agreed outcomes, including as a priority, shifting the balance of care. This means that *within agreed parameters* Partnerships will require to have the authority to make decisions about use of funds.

The proposals as currently described vest a considerable amount of authority in a single individual, the Jointly Accountable Officer, and make no reference to the Partnership Board, the local authority or the NHS Board. The Partnership Board should have a role in scrutinising and approving decisions and recommendations of the Jointly Accountable Officer in respect of the use of financial and other resources. Each Board should agree appropriate levels of capital and revenue financial authority for the Jointly Accountable Officer. Beyond those levels the Jointly Accountable Officer should require approval by the Partnership Board.

We would envisage that major financial decisions would require approval by the local authority and/or the NHS Board. Both bodies will also hold the Partnership to account for its use of funds through scrutiny of the extent to which the Partnership has achieved its agreed outcomes which will include, as a priority, shifting the balance of care.

Further consideration of the role of the Section 95 Officer is required in the new model of integrated working. We will support the work of the Integrated Resources Advisory Group that has been established at a national level to progress this and other financial issues.

Successfully shifting the balance of care from the acute sector to the community will require the transfer of substantial financial resources and major changes to current practice. In order to ensure that the transfer takes place it is suggested that Partnership Boards agree with the statutory partners annual and longer term targets for the shift in resources, for which they would be held to account as part of the performance management arrangements.

Question 14

Have we described an appropriate level of seniority for the Jointly Accountable Officer?

We agree that the Jointly Accountable Officer should be a direct report of the respective Chief Executives. Further clarification is required to cover the relationship between the Jointly Accountable Officer and the Chief Social Work Officer. In our view it is incompatible for the Jointly Accountable Officer and the Chief Social Work Officer to be the same person. There would be too great a potential for conflicts of interest to arise (in any direction). It would be appropriate for the guidance on the role of the Chief Social Work Officer to be updated to reflect the new partnership arrangements.

Question 15

Should the Scottish Government direct how locality planning is taken forward or leave this to local determination?

The Scottish Government should place an obligation on partnerships to establish locality planning arrangements that are to meet the needs of each partnership area but should not prescribe what those should be. This will allow partnerships to respond flexibly to their particular social, economic and geographic circumstances.

We do envisage a role for national government in supporting workforce and leadership development issues that are likely to be common to all partnerships and to develop the GMS Contract to facilitate engagement of general practitioners in locality planning and in the wider work of the Health & Social Care partnerships.

Question 16

It is proposed that a duty should be placed upon Health and Social Care Partnerships to consult local professionals, including GPs, on how best to put in place local arrangements for planning service provision and then implement, review and maintain such arrangements. Is this duty strong enough?

We believe that this duty is strong enough to ensure that the Health and Social Care Partnerships adequately consult local professionals. The success of such consultation will depend also on the active engagement of local professionals in the locality planning process.

Question 17

What practical steps/changes would help to enable clinicians and social care professionals to get involved with and drive planning at local level?

Where appropriate, contractual arrangements should be written to facilitate the engagement of clinicians and practitioners in locality planning.

Practitioners and social care professionals are likely to get involved with and drive planning at a locality level to the extent that they believe that their involvement will make a difference to service delivery. It is important that locality plans do not conflict with the wider strategic plans of the Partnership and that the strategic plans are developed taking account of the needs of localities in the Partnership area. Partnership boards will therefore have to ensure clear and consistent communication of their high level strategy and take account of the views of practitioners and clinicians in developing strategy.

Question 18

Should locality planning be organised around clusters of GP practices? If not, how do you think this could be better organised?

Locality planning should be based on natural local communities. While the role of GP practices is recognised as important for the success of locality planning, practices may not be coterminous with community boundaries. To organise locality planning based on clusters of GP practices could result in boundaries which are not those of the natural community. Fundamentally localities should be recognisable as communities to those who reside in them. This will help to ensure that planning is focused on the needs of communities and not on administrative convenience.

Question 19

How much responsibility and decision making should be devolved from Health and Social Care Partnerships to locality planning groups?

Locality planning groups should have responsibility for defining the needs of the local area and for specifying services to meet these needs. These might be commissioned locally or on a wider area basis where the requirements are similar. Partnership Boards should have the power to delegate to locality planning groups the right to commission local services within a specified financial limit but this should be a decision for each Partnership board to make in the light of its own local circumstances and the maturity of locality planning in its area.

Question 20

Should localities be organised around a given size of local population – e.g. of between 15,000 – 25,000 people, or some other range? If so, what size would you suggest?

Population size is of less relevance to locality planning than natural local communities. Imposing a fixed size could result in natural communities being split or merged so that they become administrative districts rather than areas that are recognised as a community by those who reside in them.

NORTH AYRSHIRE COUNCIL

Agenda Item 6

4 September 2012

Cabinet

Subject: **SPT Bus Stop and Shelter Management Agreements**

Purpose: To seek approval from the Cabinet to extend the current bus stop and shelter management agreements for a further 5-year period

Recommendation: That the Cabinet agrees to extend the existing bus stop and shelter management agreements for a further 5-year period.

1. Introduction

- 1.1 On 1 April 2003, the Council and Strathclyde Partnership for Transport (SPT, then Strathclyde Passenger Transport) entered into two agency agreements in respect of bus stops and bus shelters. The initial duration of each agreement was 10 years and both agreements specifically provided that they may thereafter be renewed with the prior written agreement of both parties.
- 1.2 In terms of the agreements, the Council appointed SPT as its agent to act on its behalf in relation to the provision of certain services. The services include arranging and supervising inspections and maintenance of bus stops and bus shelters; gathering and maintaining information regarding the stops and shelters; and dealing with enquiries from the public. Most of the work undertaken is a result of vandalism and weather damage.

2. Current Position

- 2.1 The Council and other member Councils have been approached by SPT to consider extending the existing agreements for a further 5-year period to maintain continuity of service.

2.2 In relation to the Council's Standing Orders, there are two relevant exemptions which will enable the existing contract to be extended.

- i) There is an exemption for contracts or framework arrangements entered into on the Council's behalf by a consortium, partnership company or similar body of which the Council is a member or user, which body exists for the purpose of joint purchasing arrangements and where such body has invited tenders for the provision of supplies, services or works; and
- ii) The Council or any committee can declare the contract exempt from the provisions of the Standing Orders if they are satisfied the exemption is justified by special circumstances.

2.3 SPT is a statutory body intended to plan, manage and deliver a Regional Transport Strategy across the Strathclyde area, including North Ayrshire. The purpose of having an agency of this type is to co-ordinate transport functions and transport provision across a larger area and the maintenance of bus stops and shelters form part of this transport strategy.

2.4 Since 2003, the operation of the existing bus stop and shelter maintenance agreements has been satisfactory and the extensions can be justified as providing the service in an ongoing economical and efficient manner.

2.5 By inviting tenders for the work across the whole Strathclyde area, SPT is able to obtain better value than if each Council entered into a tendering exercise for bus stops and shelters within its own area; considering both the larger numbers involved and the similarities between the bus stops and shelters across the various Councils.

3. Proposals

3.1 The Cabinet is invited to agree to extend the existing bus stop and shelter management agreements for a further 5-year period.

4. Implications

Financial Implications

4.1 Annual spend by SPT in North Ayrshire is around £70,000 per annum. Annual expenditure is determined by levels of vandalism and weather damage.

Human Resource Implications

4.2 There are no human resource implications.

Legal Implications

- 4.3 There are no legal implications.

Equality Implications

- 4.4 There are no equality implications.

Environmental Implications

- 4.5 There are no environmental implications in relation to North Ayrshire Council.

Implications for Key Priorities

- 4.6 The implementation of these agreements contributes to Single Outcome Agreement outcomes:

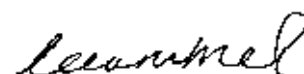
- 1a transport links and services to and from North Ayrshire have improved;
- 15a public perception of public services have improved;
- 15c partnership working has improved.

5. Consultations

- 5.1 Consultation has been carried out with the Council's Legal Services in the preparation of this report. Specific advice has also been taken from the Corporate Procurement Unit.

6. Conclusion

- 6.1 The existing bus stop/shelter management arrangements have been successfully undertaken by SPT on behalf of North Ayrshire Council for the past 10 years. It is proposed to continue these arrangements for a further five years and review again thereafter.



LAURA FRIEL

Corporate Director (Finance and Infrastructure)

Reference : AB/DL/II

For further information please contact Angus Bodie, Head of Infrastructure and Design Services on telephone number 01294 225211

Background Papers

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NORTH AYRSHIRE COUNCIL

Agenda Item 7

4 September 2012

Cabinet

Subject: **Closing Orders - Various locations in North Ayrshire**

Purpose: To advise the Cabinet on the condition of a number of properties in Dalry, Largs and Skelmorlie and seek approval to serve Closing Orders on these properties.

Recommendation: That the Cabinet approves the serving of Closing Orders on the properties listed in Appendix 1.

1. Introduction

- 1.1 Section 114(1) of the Housing (Scotland) Act 1987 ("The Act"), empowers a local authority to serve a Closing Order on a property, as opposed to a Demolition Order, where the property falls below the tolerable standard and forms part of a larger building.
- 1.2 Section 114 requires to be read in conjunction with Sections 85(1) of The Act, which states: "It shall be the duty of every local authority to secure that all houses in their district which do not meet the tolerable standard are closed, demolished or brought up to tolerable standard".

2. Current Position

- 2.1 Council Officers were contacted by the various owners of the properties detailed in Appendix 1 and have now undertaken detailed inspections of the five properties concerned. In all five instances, the properties were found to be in a condition not compliant with the tolerable standard, as defined by Section 86 of The Act.
- 2.2 Once a Closing Order is served the property cannot be used for habitation (including rental) until improvement works are completed.

3. Proposals

- 3.1 It is proposed that the Cabinet approves the serving of Closing Orders on the properties listed in Appendix 1.

4. Implications

Financial Implications

- 4.1 By serving the Closing Orders, the properties will be exempt from Council Tax. However, owners will be unable to claim rental income from them.

Human Resource Implications

- 4.2 None.

Legal Implications

- 4.3 Closing Orders will be served under Section 114 of the Housing (Scotland) Act.

Equality Implications

- 4.4 None

Environmental Implications

- 4.5 None

Implications for Key Priorities

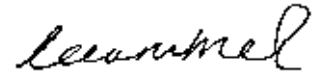
- 4.6 Outcome one of the North Ayrshire Local Housing Strategy 2011 - 16, states *"the supply and quality of housing better meets needs and aspiration "*

5. Consultations

- 5.1 Consultation has taken place with the Private Sector Housing Team, Legal Services and Financial Services (Council Tax).

6. Conclusion

- 6.1 The properties listed in Appendix 1 have been inspected and found to be below tolerable standard and in order to comply with Sections 85 and 114 of The Housing (Scotland) Act 1987, the Cabinet is asked to approve the serving of Closing Orders on the properties noted.



LAURA FRIEL
Corporate Director (Finance and Infrastructure)

Reference : AB/DT/II

For further information please contact Angus Bodie, Head of Infrastructure and Design Services on telephone number 01294 225211

Background Papers

Related correspondence.

Property Details

| | |
|--|---|
| Property One | |
| Address: | Flat 2/1, 103 Nelson Street, Largs |
| Reason for serving closing order: | The property has suffered from severe penetrating dampness, over a long period of time. The property is now uninhabitable and falls below the tolerable standard. |

| | |
|--|--|
| Property Two | |
| Address: | Flat 6A, Main Street, Dalry |
| Reason for serving closing order: | Property noted to be in a very poor state of repair, with severe dampness throughout. A number of floor joists and external stairs were noted to be structurally unsafe. |

| | |
|--|---|
| Property Three | |
| Address: | Flat 14, Chaseley Gardens, Skelmorlie |
| Reason for serving closing order: | The property forms part of a modern development. The building has a latent defect, which is causing severe water penetration into flat 14. As a result, the property is uninhabitable and falls below the tolerable standard. |

| | |
|--|---|
| Property Four | |
| Address: | Flat 24, Chaseley Gardens, Skelmorlie |
| Reason for serving closing order: | The property forms part of a modern development. The building has a latent defect, which is causing severe water penetration into flat 24. As a result, the property is uninhabitable and falls below the tolerable standard. |

| | |
|--|---|
| Property Five | |
| Address: | Flat 28, Chaseley Gardens, Skelmorlie |
| Reason for serving closing order: | The property forms part of a modern development. The building has a latent defect, which is causing severe water penetration into flat 28. As a result, the property is uninhabitable and falls below the tolerable standard. |

NORTH AYRSHIRE COUNCIL

Agenda Item 8

4 September 2012

Cabinet

Subject: **Extension of Community Warden Service**

Purpose: To seek Cabinet's agreement on the implementation of an enhanced Community Warden service.

Recommendation: That the Cabinet agrees to consider proposals for the enhancement of the Community Warden service set out in Sections 3.1-3.4 of the report, including extending the service to South Ardrossan.

1. Introduction

- 1.1 At its Special Budget Meeting on 1 February 2012, the Council considered proposals for the extension of the Community Warden service. It was agreed that £145,000 to fund a mobile service be set aside from the £0.976m contribution within the £3.766m investment funds, with a report on its implementation to be submitted to the Executive in due course.

2. Current Position

- 2.1 The consultancy firm Blake Stevenson carried out an independent review of the Community Warden service during 2010. The review coincided with the requirement to achieve annual savings within the Warden service of £172,000. Following consideration of various options by the Executive, and call-in by the Scrutiny Committee, it was agreed that:-

- the purpose of the Community Warden service should be prioritised to focus mainly on community safety and public reassurance linked to community engagement and support;
- Wardens should not have an enforcement role e.g. issuing fixed penalty notices for fly tipping and dog fouling;
- Wardens should not patrol in town centres, and that they should continue to work only in residential areas to engage with and support communities and reduce their fear of crime;

- to achieve the necessary savings, the service should be reconfigured by amalgamating the three teams in the Three Towns into one mobile team, to maintain existing coverage in that area and also extend into the Hayocks area in Stevenston, with the three other teams to be retained with reduced staff numbers.
- 2.2 This resulted in an overall reduction in staffing of five posts (one Senior Warden and four Wardens) and the closure of the operational bases in Ardeer and Ardrossan.
- 2.3 These changes were implemented in April 2011 and the service now operates in seven areas with 28 Wardens as follows:-
- Three Towns mobile team, based in Saltcoats, covering North Ardrossan, North Saltcoats, Ardeer and Hayocks, Stevenston: 2 Senior Wardens and 10 Wardens;
 - Pennyburn team: 1 Senior Warden and 3 Wardens;
 - Vineburgh/Redburn team: 1 Senior Warden and 3 Wardens;
 - Bourtreehill/Broomlands team: 1 Senior Warden and 7 Wardens;
- 2.4 The Community Warden service aims to reduce crime, the fear of crime and antisocial behaviour. Wardens act as the 'eyes and ears' of the communities they work in. They patrol their designated areas in pairs, on foot or on bicycles, providing a deterrent to crime and antisocial behaviour and a reassurance to residents. Their main duties are:
- to report environmental crime and antisocial behaviour, such as fly tipping, graffiti, abandoned vehicles and vandalism as well as housing repairs, etc. identified while out on patrol; and
 - to provide information/advice to residents and make referrals to services that are available to assist them, e.g. Noise Nuisance Team, Community Mediation Service, Victim Support.
- 2.5 An important role for Wardens is engaging with young people and signposting them to diversionary activities, as well as reporting concerns about young people who come to their attention who may be at risk of harm or of becoming involved in antisocial behaviour. The Wardens also run a Junior Warden programme for 8 -12 year olds during the school summer holidays. The aim is to enhance the relationship between the Community Wardens and the young people by providing diversionary activities, highlighting antisocial behaviour and environmental issues, developing their team building skills and promoting good citizenship.

- 2.6 Community Wardens also support local community activities such as gala days, and they provide a garden equipment lending scheme to residents between March and October.
- 2.7 The Wardens' role requires high levels of partnership working with many other Council services, notably Area Housing Offices, the Antisocial Behaviour Investigation Team, Streetscene and Community Development, as well as the Police and Fire services.
- 2.8 Since the Warden service was introduced in 2004, the local communities where it operates have increasingly acknowledged its value through both informal and formal feedback. bResident surveys carried out every two years show significant increases in feelings of safety. In 2008, 39% of residents considered the Community Wardens had made their area a safer place to live. This rose to 67% in 2012. 62% felt safe walking alone in their area after dark in 2012, up from 38% in 2006.
- 2.9 Wardens patrol in pairs for Health and Safety reasons. The service is provided between 1.00 pm and 9.45 pm every day except the universal rest day of Wednesday. During the lighter evenings Wardens work a number of shifts between 2.00 pm and 10.45 pm. The rota requires a minimum of 16 staff to provide adequate cover in the seven areas, i.e. four Wardens in Bourtreehill/Broomlands (a much larger area than all the others) and two Wardens in the other six areas. With rest days, but before taking account of annual leave, sickness absence and training, the maximum number of staff on duty is 24, and the average is 18-20. The service is particularly under pressure at peak holiday times. Between April and August 2012, with 127 shift days to be covered, there were 33 days when, due to annual leave and sickness absence, staffing levels were reduced to 15 or 14 Wardens, and a further nine days with only 13 Wardens on duty. This equated to 33% under-staffing over this five-month period. On another 28 days (22% of shifts), the service operated with the minimum adequate cover of 16. When fewer than 16 staff are available, cover has to be reduced either to two Wardens covering all of Bourtreehill/Broomlands, or by patrolling two or more of the Three Towns areas by vehicle to provide a presence in each area for at least part of the day.

3. Proposals

- 3.1 It is proposed to enhance the current Three Towns mobile team to allow the Community Warden service to be extended to South Ardrossan, covering the area south of Parkhouse Road/Eglinton Road. To achieve this, while still aiming to provide at least minimum service levels in the seven existing areas, the minimum cover requirement will increase from 16 to 18 Wardens on duty. Staff rotas have been examined to identify the extra resources required to adequately cover an additional area and also ensure that the potential for under-staffing across all areas is not increased further. Projections based on patterns of leave taken by existing staff indicate that, to avoid a significant increase in under-staffing, the current Three Towns team will need to be increased by four Community Warden posts. Although this will increase the overall team from 12 to 16 Wardens, with shift arrangements/rest days, this team will always have four Wardens on rest days and the maximum number on duty each day will be 12. All four extra Wardens will in practice be on duty together for only 50% of the shifts, before taking account of their leave and training. For the other 50% of shifts, two of these extra Wardens will be on rest days. If the current Three Towns team were to be increased by only two extra Wardens to cover South Ardrossan, these Wardens' rest days and holidays etc., would have to be covered from current resources, resulting in further under-staffing and reductions in service levels in existing areas beyond those already being experienced, as described in Section 2.9 above.
- 3.2 The current Three Towns team is based in a two bedroomed Council house in North Saltcoats. This property, originally set up to accommodate a team of five Wardens, has had to be adapted to meet the operational needs of the 12 staff now based there following the reconfiguration and expansion of the service in the Three Towns, referred to in Section 2.1. Although Community Wardens spend most of their working day out patrolling and responding to calls for assistance in their communities, they all require to attend together at their base at the start of each shift, so that the Senior Warden can brief them on daily priorities and hot spots, and allocate patrolling duties; and again towards the end of each shift for debriefing and to update IT systems with details of incidents encountered and how they have responded. This information sharing and electronic record keeping is essential for handover to the next day's shift and also for management to ensure that appropriate action has been taken. The bases also meet essential staff welfare and health and safety requirements, e.g. for meal breaks, toilet facilities, and storing and drying outdoor/wet weather clothing. The North Saltcoats base has had to be adapted specifically to provide a second toilet to comply with health and safety regulations for the number and gender balance of staff based there. The base is already over-stretched and will not

meet the operational, welfare, health and safety needs of 12 staff on duty at one time. A new base, most likely a three-bedroomed Council house, will need to be identified and then adapted to accommodate the expanded Three Towns team. It is proposed that the team continues to be based in Saltcoats, as the most central location, so that 'down time' spent travelling to and from patrols in Stevenston and Ardrossan is minimised.

- 3.3 An expanded Three Towns team will need an additional vehicle to transport Wardens to and, where necessary, within the new patrolling area of South Ardrossan to ensure a prompt response, particularly in relation to complaints about antisocial behaviour and requests for assistance; and also for delivering items of garden equipment to residents throughout the area as part of the lending scheme. The Junior Wardens programme will also have to be extended to the new area in 2013.
- 3.4 As the proposed new area will take in Ardrossan town centre, it will be important to explain the role and powers of Community Wardens to the resident and business communities. This will help to minimise unrealistic expectations, e.g. about Wardens responding to reports of criminal offences such as shoplifting and drunken, aggressive or violent behaviour, which Wardens are not empowered to deal with other than to phone for the police to attend. Wardens will, of course, continue their present role of providing advice and support, observing and reporting on issues arising throughout the community.
- 3.5 The Cabinet is invited to consider proposals for the enhancement of the Community Warden service set out in Sections 3.1-3.4 of the report above, including extending the service to South Ardrossan.

4. Implications

Financial Implications

- 4.1 Budget provision of £145,000 has been made for a trial period during the financial year 2012/13. The anticipated costs for a full year are employee costs of £105,832 and ancillary costs (training, administration, vehicle, fuel, Junior Wardens, garden lending) of £20,700, giving a total of £126,532. One-off set up costs of approximately £12,000 will also be incurred for additional IT and office equipment, and for moving to and adapting the new base. However, new staff will not be recruited and trained to a suitable standard before mid-December 2012 at the earliest. There will be no opportunity to evaluate the impact of the new service before budget proposals need to be submitted for 2013/14. Evaluation after a 12 month trial period would be undertaken in conjunction with the two yearly resident satisfaction survey due to be carried out in all Community Warden areas around January to March 2014. Budget provision of £126,532 for the service in South Ardrossan will therefore need to be in place for

at least the full financial year 2013/14 to allow the evaluation findings to be considered and a decision made on its future.

Human Resource Implications

- 4.2 Four additional Community Wardens will be recruited. Should the additional service be discontinued at the end of the trial period, there may be redeployment and/or redundancy implications for the staff concerned. It should also be anticipated that there would be significant community opposition to any proposal to withdraw the service once it has been introduced in South Ardrossan.

Legal Implications

- 4.3 There are no legal implications.

Equality Implications

- 4.4 Recruitment to the new posts will be carried out in line with the Council's Equality Scheme.

Environmental Implications

- 4.5 There are no environmental implications.

Implications for Key Priorities

- 4.6 This report supports the Community Planning Partnership's shared priority of Tackling Community Safety, and Outcome 9(a) in the Single Outcome Agreement 'Fear of crime and antisocial behaviour has reduced'.

5. Consultations

- 5.1 The Director of Community Safety has been consulted on the proposals. Human Resources have also been consulted and Finance and Infrastructure (Finance) have been involved in identifying the costs of the proposals.

6. Conclusion

- 6.1 These proposals will enhance current Community Warden service provision.

A handwritten signature in purple ink that reads "Iona Colvin".

IONA COLVIN

Corporate Director (Social Services and Health)

Reference :

For further information please contact Olga Clayton, Head of Community Care and Housing (Social Services and Health) on telephone number 01294 324626

Background Papers

Report by Blake Stevenson on the Review of the Community Warden Service in North Ayrshire, October 2010

NORTH AYRSHIRE COUNCIL

Agenda Item 9

4 September 2012

Cabinet

| | |
|-----------------|--|
| Subject: | Largs Matters Business Improvement District |
|-----------------|--|

| | |
|-----------------|---|
| Purpose: | To seek Cabinet approval to support the establishment of a Business Improvement District for Largs Town Centre. |
|-----------------|---|

| | |
|------------------------|--|
| Recommendation: | That the Cabinet agrees (a) to approve (i) the payment of £30,000 per annum for five years as a contribution to the Core Funding of the Largs BID and (ii) an additional one off payment of £18,000 to purchase the necessary computer software to enable Financial Services to administer and collect the annual BID levy; and (b) that, in the event of the ballot for the Largs BID being successful, to instruct the relevant Services to contribute to the required levy. |
|------------------------|--|

1. Introduction

- 1.1 Under Part 9 of the Planning etc (Scotland) Act 2006, a Business Improvement District (BID) is a precisely defined geographical area of a town, commercial district or tourism and visitor area, where businesses vote to invest collectively in local improvements resulting in an improved business environment and improved local economic growth.
- 1.2 A BID is developed, managed and paid for by the business sector by means of a compulsory BID levy. The businesses within the proposed BID area must vote in favour of the levy before the BID can be established. Each business liable to contribute to the BID will be able to vote on whether or not the BID goes ahead.
- 1.3 Before agreeing to fund the additional investment the businesses within the proposed BID area will determine the issues, decide how their money will be spent and how much they are prepared to pay. A BID Business Plan will be produced which will include performance guarantees, a management structure and a delivery mechanism.

- 1.4 A BID is not a substitute for central or local government investment, but an additional investment to strengthen the local economy and give local businesses a unified voice. These proposals are in addition to baseline services provided by the statutory authorities.
- 1.5 A BID proposal in Scotland will only go ahead if more than half the businesses vote in favour and they represent more than half of the rateable value, i.e. a BID will only be successful if it exceeds both 50% of the votes cast and those votes represent more than 50% of the areas rateable value.
- 1.6 A BID can last for no more than five years and will either be dissolved at the end of its term or will seek a new mandate and term.
- 1.7 Existing town centre BIDs have concentrated on a variety of issues: including access; safety and security; environmental improvements; marketing; promotion and event management.
- 1.8 There are currently 13 BIDs established across Scotland with a further 13 in the development stage.

2. Current Position

- 2.1 In Largs a BID Steering Group has been active, in one form or another, since 2008 and staff from the Economic Development Team have supported them throughout this period. Such a BID proposal would complement the activities around the Council Town Centre Regeneration Framework. In March 2011, the Steering Group received Seedcorn funding to allow them to take their proposal to the ballot stage.
- 2.2 On 26 July, The BID Proposer (Largs Matters) notified the Council and the Scottish Government 98 days in advance of the ballot date (November 2012) of their intention to hold a BID ballot. The Council has a right to veto the BID proposal but must, under the legislation, inform the BID Proposer of its decision 70 days before the ballot.

Largs BID Project

- 2.3 The annual budget of the Largs Matters BID will be £144K of which it is proposed that North Ayrshire Council will contribute £30K per annum. The Largs Matters Bid support a variety of projects over the 5 year period including:
 - Marketing and Events
 - Business Support
 - Crime and Business Safety
 - Advocacy
 - Business Communication

Operating Agreement

- 2.4 A bespoke Operating Agreement between the BID Company and the local authority will be created. This Agreement establishes the relationship between the BID Company and the local authority. The Agreement will only be signed after the approval of NAC Legal Services after they have ensured that it is in the interests of the Council.
- 2.5 The Agreement will:
- provide details of the baseline services, from a range of Council Departments including Roads and Streetscene who operate in the town centre. This baseline services may not be varied in any way or withdrawn without reasonable cause and only with the consent of the BID Company;
 - provide details of the complementary services, which again may not be varied or withdrawn without first consulting with the BID Company;
 - perform all obligations placed upon it under the Operating Agreement and in accordance with the Regulations.

The Levy

- 2.6 The local authority is the billing body and is responsible for the administration, collection and recovery of the BID levy and will:
- establish the procedure for the setting, collection and remittance of the BID Levy;
 - confirm the basis upon which the Council will be responsible for collecting the BID Levy;
 - set out the enforcement mechanisms available for collection of the BID Levy;
 - set out the procedures for accounting and transference of the BID Levy;
 - provide for the monitoring and review of the collection of the BID Levy;
 - confirm the manner in which the Council's expenses incurred in collecting the BID Levy shall be paid.
- 2.7 In the event that the BID arrangements are *not* voted in favour by the BID levy payers on the ballot result date then the Agreement shall terminate and cease to be of any further effect between the parties.

The Ballot

Largs Matters BID

- 2.8 The BID Group have carried out a number of surveys of the business community and the responses to a successful BID have been positive. The BID Group are also aware that to be successful they will require a mandate well in excess of the 50% threshold.

North Ayrshire Council

- 2.9 As the billing authority in which the proposed BID will take place, is responsible for conducting a ballot to approve the BID proposals. The costs of this ballot can be recovered by the local authority from the BID funds.
- 2.10 The local authority will be responsible for calculating whether or not the vote has been successful and will have to announce the result of the ballot publicly. The local authority may employ the services of a private sector company to manage the ballot on its behalf. The decision will be made by the ballot holder in conjunction with the BID Proposer, however the decision of the local returning officer takes precedence.

3. Proposals

- 3.1 The Cabinet is invited to agree (a) to approve (i) the payment of £30,000 per annum for 5 years as a contribution to the Core Funding of the Largs BID and (ii) an additional one off payment of £18,000 to purchase the necessary computer software to enable Financial Services to administer and collect the annual BID levy; and (b) that, in the event of the ballot for the Largs BID being successful, to instruct the relevant Services to contribute to the required levy. There will be an economy of scale with regard to the purchase of software as this will be available should other towns come forward with a BID.

4. Implications

Financial Implications

- 4.1 The majority of the funding will be met from existing Economic Development Budgets.
- 4.2 However, Council premises within the BID area will also be subject to the levy. This comprises a total of eight premises/sites with total levy contribution of £3360 per annum for the 5 year duration of the BID.

- 4.3 This will require an annual contribution of £790 per annum from Educational Services, £990 per annum from Environmental and Related Services and £1580 per annum from Infrastructure and Design. The responsible officers in these Services have been advised of their potential contribution.

Human Resource Implications

- 4.4 There are no human resource implications.

Legal Implications

- 4.5 The Council will be required to draw up an Operating Agreement with the BID Company.

Equality Implications

- 4.6 There are no equality implications.

Environmental Implications

- 4.7 There are no environmental implications.

Implications for Key Priorities

- 4.8 This proposal will meet Strategic Outcome 6 of the North Ayrshire Economic Development and Regeneration Strategy. Largs also forms part of the North Ayrshire Town Centre Regeneration Framework. The implementation of a BID also meets the requirements in the Single Outcome Agreement 1c and 11b.

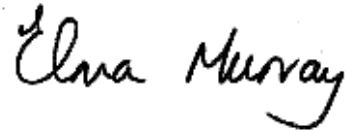
5. Consultations

- 5.1 Consultations have taken place with Legal Services, Finance, Roads, Streetscape and Committee Services in addition to the Elected Members from Ward 8 who are supportive.

6. Conclusion

- 6.1 The Cabinet endorse the establishment of a Business Improvement District for Largs Town Centre.

- 6.2 Further, that the Cabinet approve the payment of £30,000 per annum for 5 years as a contribution to the Core Funding of the Largs BID and an additional one off payment of £18,000 to purchase the necessary computer software to enable Financial Services to administer and collect the annual BID levy. In the event of the ballot for the Largs BID being successful, instructs the relevant Services to contribute to the required levy.



ELMA MURRAY
Chief Executive

Reference : JC/AM

For further information please contact Jim Cumming, Project Officer on telephone number 01294 225196

Background Papers

NA

Council Support for Largs BID

Council Support up to this point in time

- The Largs BID has received Officer support from Economic Development Service since 2009.
- A £20K Seedcorn grant was awarded to the Largs BID in 2011. This funding was a match to BID Scotland to develop the BID to the ballot stage.
- An additional £12.5k funding was awarded in 2012 to support a **Largs Live** Event.

Council Support in the event that the BID is Successful

- Economic Development will contribute £30K per annum for the 5 years of the BID. Over the lifetime of the BID, this amounts to £150K. This funding is the transfer of budgets (previously ring-fenced by the Economic Development for spending on promotion, events and business development within Largs town centre) to the Largs BID Group.
- A total of 8 Council properties will be expected to pay the annual levy, totalling £3360 per annum. Over the lifetime of the BID, this will amount to a further £16,800 contribution by the Council.

One-off Contribution by the Council

- A further £18K will be spent to purchase the necessary computer software to process the billing of the annual levy. This will reduce the cost of billing for this service by the Council to the Largs BID Group. There may be economies of scale in the event that other BID Groups in other towns in the authority are successful.
- Discussions are ongoing with Chief Executive's Service about conducting the ballot.

Summary

- In Summary, the Council could potentially spend £217.3K over the next 5 years in supporting a successful Largs BID. This does not take into account the in-kind support from a number of departments including, Economic Development, Legal Services, Financial Services and Committee Services.

NORTH AYRSHIRE COUNCIL

Agenda Item 10

4 September 2012

Cabinet

Subject: Pilot programme of insulated rendering works to timber houses

Purpose: To advise Members of the proposed pilot programme of works and outline the Council's intended strategy in relation to hard-to-heat, non-traditional built properties.

Recommendation: That the Cabinet agrees to note the proposed pilot project and the intended future strategy to improve the energy efficiency and overall condition of all timber houses.

1. Introduction

- 1.1 Active asset management of the Council's housing, identifies programmes of improvement works, which are required to ensure our stock is maintained to an acceptable standard and achieves the Scottish Housing Quality Standard (SHQS).
- 1.2 External render replacement works is one of the improvement programmes undertaken, with significant investment being required over the next four years. This investment will ensure that the stock is maintained in a wind and watertight condition.
- 1.3 The Council owns over 11,400 houses that are termed as being 'traditionally' built and as such are generally suitable to re-render. The remaining 2,000 houses have been identified as being 'non-traditionally' built, including concrete structures, steel and timber framed buildings.
- 1.4 The non-traditional properties can be difficult to heat, have low thermal insulation levels and, in the case of the timber houses, are not capable of being rendered using traditional mortar based systems.

2. Current Position

- 2.1 The approved Housing capital programme for 2012/13 has an allocation of £580,000 for external insulated rendering works.
- 2.2 The Council owns 253 Swedish and Weir style externally timber clad houses. These properties are spread geographically throughout Ardrossan, Irvine, Dalry, Beith and Kilbirnie. It is these Swedish and Weir timber-clad properties that are being considered for an initial pilot programme.
- 2.3 The intention is to initiate a pilot programme of insulated render works, which will be undertaken during the current financial year. If the pilot proves successful, then consideration would be given to entering into a framework contract and developing a programme of works to be rolled-out over the forthcoming 4-year period.

3. Proposals

- 3.1 Infrastructure and Design Services (IDS) has now reviewed the Council's ownership and condition of timber houses within the various towns of North Ayrshire and have identified two areas in Kilbirnie that would be appropriate to use as a pilot scheme. These areas are:-

- Castle Drive/Park View area (34 houses)
- Auchenhove Crescent/Stockbridge Crescent area (26 houses).

These particular areas were chosen for the pilot as a result of a numbers of factors being taken into account, namely the ranking of the postcodes within the Scottish Index of Multiple Deprivation, the high concentration of houses within the area which remain within Council ownership and the number of wholly owned Council blocks within the streets concerned.

- 3.2 The houses identified comprise semi-detached blocks, with all 30 blocks being in complete Council ownership. In the first instance, the works will be restricted to wholly owned blocks. The rationale for this approach is:-

- It will minimise the aesthetic effect of having one half of a block rendered, with the owner-occupied half remaining untreated; and
- Owner-occupiers might be encouraged to upgrade their properties, once they see the benefits of the insulated render.

3.3 Progressing with the proposed works, will have the following benefits to the Council and its tenants:-

- Protect and prolong the exterior fabric;
- Reduce ad-hoc repairs and cyclical paintwork requirements;
- Enhance national home energy rating (NHER) and U-values (measures how well a building component keeps the heat inside the building);
- Reduced heating costs – savings of up to a third (annual saving £150 - £250 for an average 3 apartment house);
- Greater warmth and improved comfort for our tenants;
- Lower condensation and mould growth levels, as a result of significantly improved insulation values;
- Improved tenant satisfaction levels, resulting in sustainable homes and communities;
- Reduction in carbon emissions – saving approximately 1.9 tonnes of CO2 per property/year.;
- Ability to provide a variety of colours, textures and finishes (i.e. rendered finish or UPVC cladding). Our tenants will be consulted on this prior to the work commencing.

3.4 Attached as Appendix 1, is a map of the two areas identified for this work and artistic impressions of the proposal.

3.5 The Cabinet is invited to note the proposed pilot project and the intended future strategy to improve the energy efficiency and overall condition of all timber houses.

4. Implications

Financial Implications

4.1 The estimated cost of this pilot project is £580,000 and is included within the Housing capital programme for 2012/13.

Human Resource Implications

- 4.2 None.

Legal Implications

- 4.3 Following the pilot, there may be a requirement to draw up “Minutes of Agreement” with private owners if they wish to participate in the project in the future.

Equality Implications

- 4.4 There are no equality implications.

Environmental Implications

- 4.5 These works will assist in reducing CO2 emissions and reduce heating costs.

Implications for Key Priorities

- 4.6 This work will contribute to the following key priorities:-

10a The quality of social housing has improved;
14b The public sector’s carbon footprint has reduced.

Community Benefit Implications

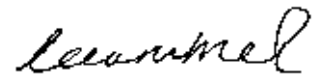
- 4.7 This project falls below the £1m threshold for the inclusion of a formal targeted recruitment and training scheme in the contract, and is of only three month duration. The opportunity to tender for this work will be highlighted to appropriate local contractors.

5. Consultations

- 5.1 The proposal was discussed at the Major Works Working Group on 22 May. All of the tenants in attendance were briefed on the proposal and shown the various images attached. All members of the group were of the opinion that the proposal would be beneficial to all tenants affected.
- 5.2 Consultation work will be undertaken with the relevant tenants, both before and during the programme of works.
- 5.3 The Head of Service (Community Care and Housing) has been consulted in relation to this proposal.

6. Conclusion

- 6.1 The pilot scheme is intended to assess whether the proposed treatment will provide a long-term solution to the various maintenance and energy efficiency issues affecting our non-traditional house types.
- 6.2 The appearance and energy efficiency of the houses involved with this pilot programme will improve substantially.



LAURA FRIEL

Corporate Director (Finance and Infrastructure)

Reference : AB/DT/II

For further information please contact Angus Bodie, Head of Infrastructure and Design on telephone number 01294 225211

Background Papers

nil



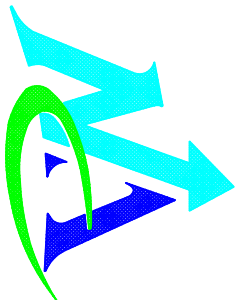
Weir Timber Houses
Kilbirnie - Area 2

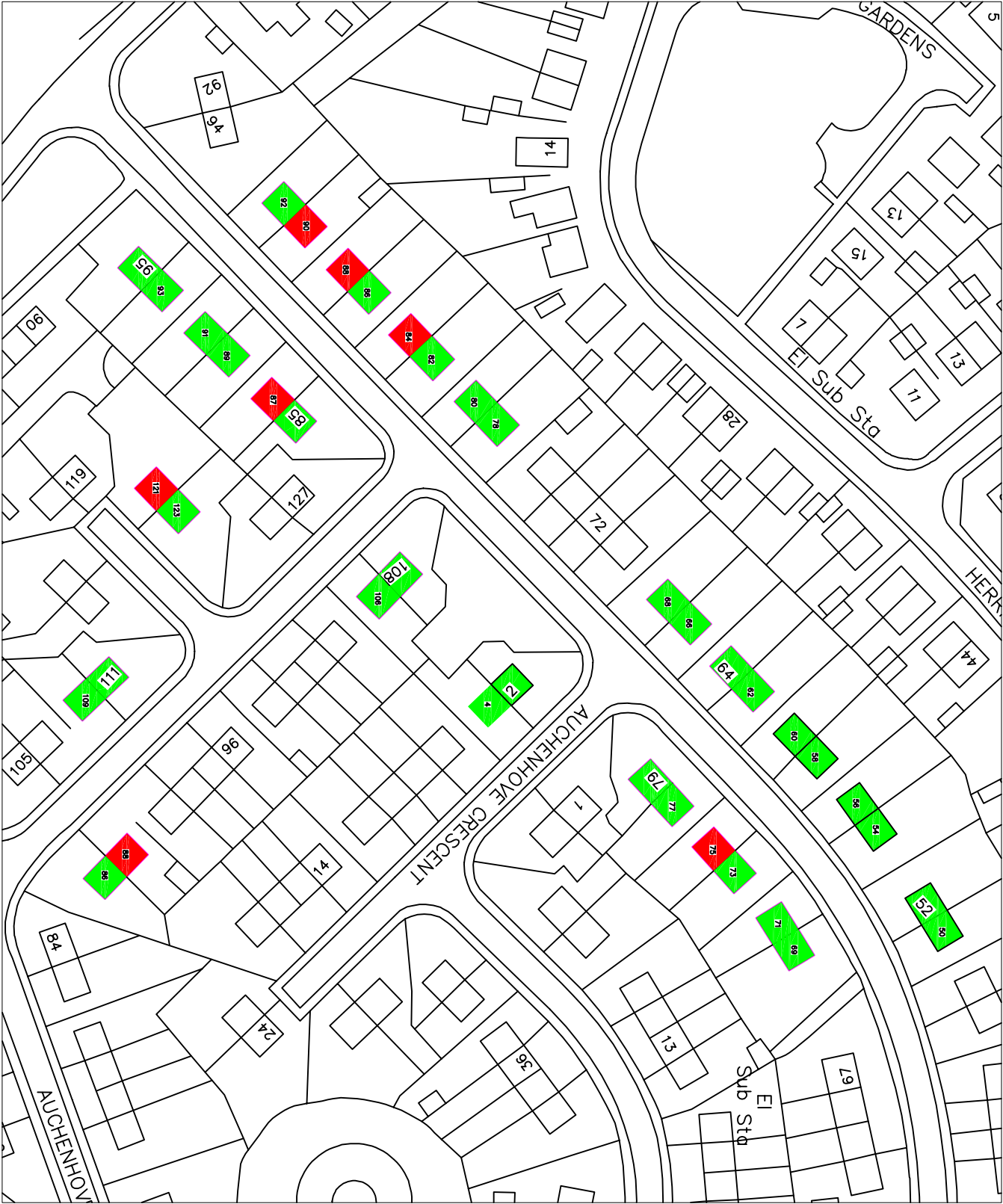


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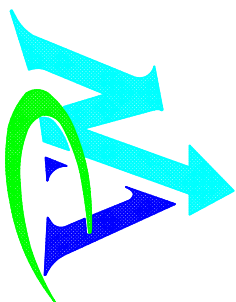
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NORTH AYRSHIRE COUNCIL

Agenda Item 11

4 September 2012

Cabinet

Subject: **Councillors' Induction and Development Programme**

Purpose: To inform the Cabinet of the completion of the Councillors' Induction Programme and the next steps in Councillors' Development and Training

Recommendation: That the Cabinet notes the content of the report.

1. Introduction

- 1.1 The former Executive agreed on 31 March 2009 to approve the introduction of a 'light touch' Personal Development Planning (PDP) system for councillors.
- 1.2 In April 2011, the Executive agreed to adopt the more rigorous national Continuous Professional Development (CPD) Framework developed by the Improvement Service and make it available to all councillors. This was implemented in 2011-12 and involved all Councillors undertaking an individual interview and also a number volunteering to complete an on-line skills development profile, either on a self-assessment (8 councillors) or 360 degree basis (5 councillors), which involved Councillors being assessed by people they have regular dealings with in their role as Councillor. Thereafter, each Councillor was issued with an agreed and signed Personal Development Plan (PDP).
- 1.3 Councillors were then able to access a range of blended learning opportunities through the CPD Framework Development programme, including notebooks, e-learning, case studies, on-line resources, briefing notes and master classes. These facilities were available through the Improvement Service to those Councils that subscribe to the national Framework.

2. Current Position

- 2.1 In December 2011, the Executive agreed to continue the CPD process in the new Administration to complement a comprehensive Councillors' Induction Programme to be held in the first few weeks following the Council Election on 3 May 2012.
- 2.2 The Induction Programme (Appendix 1) was underpinned by the Improvement Service Notebooks issued in the Induction Pack and published in the Members' Section of Navigate with links.
- 2.3 The programme covered Introduction to services; strategic issues; and seminars on key topics. Presentation slides were issued for inclusion in the Induction Pack.
- 2.4 Over the 15 Corporate Sessions the average attendance of Councillors was 20 out of 30. The average attendance of new Councillors was 9 out of 11. The sessions benefitted greatly from the attendance of senior returning Councillors who already had a knowledge of the Council's services and strategic issues.
- 2.5 A number of issues were raised and addressed during the course of the Induction Programme: -
 - the need for basic housekeeping induction for new Councillors;
 - preparation and publication of a Contact Directory;
 - getting all Councillors connected in terms of IT; laptops; blackberries, etc.
- 2.6 Additional specialist training was arranged and delivered on Staffing and Recruitment, Appeals, Licensing and Councillors' remuneration.
- 2.7 Further training opportunities are being arranged to cover Urban Regeneration Company Workshops, Health and Safety, Covalent Familiarisation, Community Planning, Equality Issues, Planning Guidance and Councillors' role on external organisations.

3. Proposals

- 3.1 A structured programme of development training will be ongoing, picking up on issues highlighted at 2.5, 2.6, and 2.7 above and progress on the key issues raised in the Induction Seminars will be reported through committees etc.

- 3.2 All Councillors will be offered interviews with a designated Policy and Performance Officer to evaluate induction training to date and to assess development needs (September/October). Online self assessment (Improvement Service Programme) and follow up interviews to prepare Councillor Personal Development Plans (PDPs) will be completed by end of March 2013.
- 3.3 Councillors' record of training undertaken is recorded by the Chief Executive's Service and is published on the Council Website annually.
- 3.4 It is proposed that the Cabinet notes the content of this report.

4. Implications

Financial Implications

- 4.1 The costs of subscribing to the National Elected Member CPD Framework involves an annual licensing fee of £2,000 accommodated within existing budgets.

Human Resource Implications

- 4.2 The officer support for Elected Member development has been, and will continue to be, provided within current staffing resources.

Legal Implications

- 4.3 There are no legal implications.

Equality Implications

- 4.4 There are no specific equality implications, although aspects of equalities awareness, is factored into the training programmes.

Environmental Implications

- 4.5 There are no environmental implications.

Implications for Key Priorities

- 4.6 Elected Member development contributes to the Council's priority of "*Public Services are more efficient and effective*", and supports the area of improvement in the Council's Best Value 2 Improvement Plan 2011/12 "*Sustain the level of engagement in the Elected Member development process*".

5. Consultations

- 5.1 The CMT has discussed this report and commends it to the Cabinet.

6. Conclusion

- 6.1 The Councillors' Induction Programme was delivered successfully and plans are in place to take forward the Councillors' ongoing Development and Training Programme as part of the agreed Continuous Professional Development Programme.



ELMA MURRAY
Chief Executive

Reference : AO

For further information please contact Alastair Osborne, Policy and Performance Office, Chief Executive's on telephone number 07824407278

Background Papers

"Roles and Working Relationships: Are You Getting It Right? (Audit Scotland: August 2010)

COUNCILLORS' INDUCTION TRAINING PROGRAMME 2012 The First Few Weeks

The training sessions will all be held in the Council Chambers, Third Floor, Cunninghame House, Irvine.. These sessions provide a general overview of the Council and information Councillors need to be aware of in the first few weeks in office. Further training and development will be offered thereafter from time to time.

| Date | Time | Subject |
|-----------------|-----------------------|--|
| Tuesday 8 May | 10.00 a.m. | An Introduction to North Ayrshire Council/ Meet the Corporate Management Team <i>Elma Murray, Chief Executive & The Council's Corporate Management Team</i> |
| | 11.15 a.m. | Coffee |
| | 11.30 a.m. | Corporate Governance - The Role of the Councillor <i>Ian Mackay, Solicitor to the Council</i> |
| | 12.30 p.m. | Lunch |
| Wednesday 9 May | 2.00 p.m. | An Introduction to Best Value, Performance and Community Planning, <i>Jim Montgomery, General Manager (Policy & Service Reform)</i> |
| | 3.00 p.m. | Coffee |
| | 3.15 p.m – 4.15 p.m.. | Connected Councillors – the tools for the job <i>Alan Blakely, Senior Manager (Information Technology).</i> |
| Thursday 10 May | 2.00 p.m. | Local Government Finance <ul style="list-style-type: none"> • An Overview of Finance • The Budget Process • Internal and External Audit <i>Laura Friel Corporate Director (Finance and Infrastructure)</i> |
| | 3.00 p.m. | Coffee |
| | 3.15 p.m.- 4.00 p.m. | Question Time – What we wish we had known <i>A Panel of Senior Councillors</i> |

| | | |
|------------------|---|--|
| Tuesday 15 May | 10.00 a.m - Full day training with lunch | Planning Training (<i>External Trainer</i>) <i>Ian Mackay, Solicitor to the Council</i> |
| Wednesday 16 May | 2.00 p.m. | Statutory Meeting of the Council |
| Thursday 17 May | 10.30 a.m.- 12.00 p.m. | Introduction to: <ul style="list-style-type: none"> • Economic Development <i>Elma Murray, Chief Executive</i> <i>Patrick Wiggins, Chief Executive, Irvine Bay Regeneration Company</i> |
| | 2.00 p.m.- 4.00 p.m. | Introduction to: <ul style="list-style-type: none"> • Policy & Service Reform <i>Jim Montgomery, General Manager (Policy & Service Reform)</i> • Legal; Licensing; Registration; IT <i>Ian Mackay, Solicitor to the Council</i> • Human Resources <i>George Young, Senior Manager Human Resources</i> |
| Wednesday 23 May | 2.00 p.m. - 4.00 p.m. | Introduction to: Social Services & Health: Strategic Issues <i>Iona Colvin</i> <i>Corporate Director (Social Services & Health))</i> |
| Thursday 24 May | 2.00 p.m. - 4.00 p.m. | Introduction to: Education & Skills: Strategic Issues <i>Carol Kirk</i> <i>Corporate Director (Education & Skills)</i> |
| Wednesday 30 May | 2.00 p.m – 4.00 p.m. | Introduction to: Finance & Infrastructure: Strategic Issues <i>Laura Friel</i> <i>Corporate Director</i> <i>(Finance and Infrastructure)</i> |

| | | |
|-------------------|---------------------------|--|
| Wednesday 6 June | 10.30 a.m - 12.30 p.m. | Integration of Health and Social Care <i>Iona Colvin</i> <i>Corporate Director (Social Services & Health))</i> |
| Wednesday 6 June | 2.00 pm | Cabinet Meeting |
| Wednesday 13 June | 10.30 a.m - 12.30 p.m. | Impact of Welfare Reform <i>Laura Friel</i> <i>Corporate Director</i> <i>(Finance and Infrastructure)</i> |
| Wednesday 20 June | 10.30 a.m - 12.30 p.m. | Corporate Parenting; Prevention and Early Intervention <i>Carol Kirk</i> <i>Corporate Director (Education & Skills)</i> |
| Wednesday 27 June | 2.00 pm | Council Meeting |

NORTH AYRSHIRE COUNCIL

Agenda Item 12

4 September 2012

Cabinet

Subject: **Scottish Secure Tenancies (Proceedings for Possession) (Pre Action Requirements) (Scotland) Order 2012**

Purpose: To update the Cabinet on the new requirements under the Scottish Secure Tenancies (Proceedings for Possession) (Pre Action Requirements) (Scotland) Order 2012

Recommendation: The Cabinet is asked to note the new Pre Action Requirements

1. Introduction

- 1.1 The Scottish Government recognises that, while the primary responsibility for avoiding eviction rests with the tenant through regular payment of rent, there is also wide variation in performance across social landlords in Scotland around rent arrears management, tenancy support and eviction levels. Differences in housing management practice are identified as a significant factor in this variation.
- 1.2 The Housing (Scotland) Act 2010 introduced pre-action requirements that landlords must satisfy in all rent arrears cases before serving a notice on tenants. This notice advises the tenant that the landlord is considering court action to recover possession of the property because of the tenants' rent arrears. Pre-action requirements are aimed at providing further protection for tenants facing eviction for rent arrears by:
- creating greater consistency in practice between landlords;
 - making sure that landlords and tenants explore ways of resolving the arrears; and
 - making sure that eviction for rent arrears is a last resort.

2. Current Position

- 2.1 The Scottish Secure Tenancies (Proceedings for Possession) (Pre Action Requirements) (Scotland) Order 2012 clarifies what is expected of social landlords in relation to meeting the requirements of the 2010 Act.

2.2 On 18 June 2012, the Scottish Government also issued statutory Guidance for Social Landlords to sit alongside the new requirements. In brief the seven pre-action requirements are to:

- Give clear information about the tenancy agreement and the unpaid rent or other financial obligations;
- Make reasonable efforts to give help and advise on eligibility for housing benefit and other types of financial assistance;
- Give information about sources of help and advice with the Management of debt;
- Make reasonable efforts to agree with the tenant a reasonable plan for future payments;
- Consider the likely result of any application for housing benefit that has not yet been decided;
- Consider other steps the tenant is taking which are likely to result in payment within a reasonable time;
- Consider whether the tenant is complying with the terms of an agreed plan for future payments.

2.3 Landlords must meet the pre-action requirements for all notices of proceedings involving rent arrears which are served on a tenant and any qualifying occupiers on or after 1 August 2012. The requirements do not apply to any notices served prior to this date and which is in force on the date court action is raised.

2.4 There are five pieces of secondary legislation which landlords must follow in order to meet the pre action requirements. These include a new style of Notice. Landlords will be required to set out in the new notice the steps they have taken including dates of meetings, letters and payment plans for each requirement to demonstrate that the requirements have been complied. A new maximum period of 6 months is introduced in relation to the period for which the order of possession granted by the court has effect. This means that there is a final opportunity, even after the court has granted an order for eviction, for tenants and landlords to agree a way to resolve the arrears and avoid eviction. During this period, tenants and existing tenancies continue to be in place.

- 2.5 The Council has a low level of evictions while having a high rate of rent collection and low level rent arrears (see table below). This has been due mainly to its approach to rent arrears, which seeks to prevent arrears arising, promotes early intervention, offers tenancy support and debt advice and regularly monitors performance and outcomes. This also reflects the Council's approach in its Eviction Policy where eviction is used as a last resort. This approach was commended by the Scottish Housing Regulator during its inspection of housing services, where it commented that "the Council has an excellent approach to performance in income maximisation and that the Council promotes early intervention and preventative action in its management of rent arrears"

| | NAC rent arrears as a % of annual net debit | Scottish Average source Audit Scotland | NAC Evictions for rent arrears | NAC Total Evictions (rent arrears & anti social behaviour) | Scottish Average for Total Evictions source Scottish Government |
|---------|---|--|--------------------------------|--|---|
| 2009/10 | 4.1% | 6.1% | 5 | 7 | 29 |
| 2010/11 | 4.0% | 5.9% | 3 | 11 | 21 |
| 2011/12 | 3.4% | N/A | 6 | 9 | N/A |

- 2.6 Despite this approach the introduction of the new requirements, along with the impending welfare reforms, represents a considerable challenge in relation to the collection of rent.
- 2.7 In light of the above, there will be a requirement to review the Council's rent arrears and eviction policies and further reports making recommendations will follow. Whilst the Council's current procedures are robust, this review will ensure that all actions are being taken to minimise debt.
- 2.8 In the meantime staff briefing and training sessions have already been carried out and changes made to IT systems and arrears procedures to accommodate the new requirements with effect from 1 August 2012.

3. Proposals

- 3.1 It is proposed that the Cabinet notes the new Pre Action eviction requirements and the action taken.

4. Implications

Financial Implications

- 4.1 There is a risk that rent arrears will increase as a result of these legislative changes, with a resultant impact on bad debt levels in the Housing Revenue Account.

Human Resource Implication

- 4.2 The additional workload will be dealt with within current resources.

Legal Implications

- 4.3 The Local Authority is required to comply with the Guidance and Regulations and ensure that the requirements are fully met.

Equality Implications

- 4.4 There are no equalities issues arising directly from this report.

Environmental Implications

- 4.5 There are no environmental implications

Implications for Key Priorities

- 4.6 This report will contribute to the Council's key priority 'Protecting Vulnerable People'.

5. Consultations

- 5.1 Discussions have taken place with Legal Services to ensure we are complying with the new legislation.

6. Conclusion

- 6.1 This report provides details on the new Scottish Secure Tenancies (Proceedings for Possession) (Pre Action Requirements) (Scotland) Order 2012 and the action being taken to ensure we are complying with the new requirements and guidance.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : DH/1353/12

For further information please contact Marianne McManus, Divisional Manager West on telephone number 01294 602611

Background Papers

None

NORTH AYRSHIRE COUNCIL

Agenda Item 13

4 September 2012

Cabinet

Subject: **Corporate Equality Group**

Purpose: To advise on the Minutes of the Corporate Equality Group meeting on 12 June 2012.

Recommendation: That the Cabinet notes the Minutes.

1. Introduction

- 1.1 In order to heighten awareness of the Corporate Equality Group's activities its Minutes have been submitted in the past to the Executive of the Council. The Minutes of the Group will now be submitted to the Cabinet for information.

2. Current Position

- 2.1 On 27 June 2012, the Council appointed Councillor Ruth Maguire as chair of the Corporate Equality Group and Councillor Marie Burns has also been appointed as an additional Elected Member on the Group.

3. Proposals

- 3.1 A meeting of the Corporate Equality Group was held on 12 June 2012 prior to these appointments. The minutes of the meeting are attached at Appendix 1. The main issues discussed at the meeting related to:
- the implications of Equality Act 2010 (Specific Duties) (Scotland) Regulations which came into force on 27 May 2012
 - the development of equality outcomes
 - an equality e-learning course

4. Implications

Financial Implications

- 4.1 There are no implications

Human Resource Implications

- 4.2 Human Resources have been involved in the development of the e-learning training course which has been designed to heighten employees' awareness of the new equality legislation.

Legal Implications

- 4.3 The new public sector equality duty has significant implications for the Council. The Corporate Equality Group will play an important role in ensuring that the Council complies with this duty.

Equality Implications

- 4.4 The Group continues to make progress in improving the Council's activity to promote equality across the Council.

Environmental Implications

- 4.5 There are no implications.

Implications for Key Priorities

- 4.6 The work of the Corporate Equality Group contributes to the Council Plan's core value "treating people respectfully, fairly and equally".

Community Benefit Implications

- 4.7 There are no implications.

5. Consultations

- 5.1 No consultations are required.

6. Conclusion

- 6.1 The Cabinet is asked to note the Minutes of the Corporate Equality Group meeting on 12 June 2012.

A handwritten signature in black ink that reads "Elma Murray". The signature is written in a cursive, flowing style.

ELMA MURRAY
Chief Executive

Reference : MA

For further information please contact Marjorie Adams, Policy and Performance Officer, on telephone number 01294 324128.

Background Papers

None

Corporate Equality Group
12/6/12

IRVINE, 12 JUNE 2012 - At a Meeting of the Corporate Equality Group at 10.00 a.m.

Present

P. Moore, Senior Educational Psychologist and P. Chow, Development Worker – Ethnic Minorities (Education and Skills); L. Morrison, Senior Manager (Human Resources); M. Adams, Policy and Performance Officer and C. Graham, Committee Services Support Officer (Chief Executive's Service).

Apologies for Absence

M. Macfarlane, Head of Human Resources (Chief Executive's Service); and S. Humphries, Chief Revenues and Benefits Officer (Finance and Infrastructure).

Chair

M. Adams in the Chair.

1. Minutes

The Minutes of the Meeting of the Corporate Equality Group held on 19 March 2012 were approved.

1.1 Matters Arising

Elected Member Representation: M. Adams confirmed that the appointment of Elected Members to the Corporate Equality Group would be considered by the Council at its meeting on 27 June.

Equalities Lead Officer: The Head of Human Resources, Murray Macfarlane, retires from the Council at the end of June 2012. The new post-holder of Head of Human Resources and Organisational Development will continue to be the lead officer on equalities within the Council.

Social Services and Health Representation: Michael Byers has taken up a post within Education and Skills and a new representative from Social Services and Health will be appointed to join the Group following the summer recess.

Equality Action Plan 2012/13: The Action Plan for the current year has now been approved by the Executive. The Plan has been published on the Council's website.

Noted.

Corporate Equality Group
12/6/12

2. Equality Progress Reports

2.1 Education and Skills

Submitted report on equality developments in Education and Skills highlighting: -

- ◆ The 15 actions proposed for consideration in the 2012/13 Action Plan;
- ◆ A meeting of the Education and Skills Working Group held on 30 May, when consideration was given to progress on:
 - Developing a means of recording incidents being explored via the SEEMIS information management system at a national level
 - A review of the recent twilight session held for Schools' Equalities Champions with plans for future training events
 - The introduction of Champions within Community and Culture (libraries, museums, country parks) and
 - Equality Impact Statements from schools which are currently being collated and analysed

The report also provided an update on the work being carried out by Community Development within the communities of North Ayrshire.

Noted.

2.2 Corporate Services

Submitted report on equality developments within Chief Executive's and Corporate Services highlighting in particular action to undertake a communications audit of all internal and external communications materials, channels and methods.

A Council wide audit to assess how well the current literature meets the standards of the Communication Strategy 2012-15 is currently being carried out. All printed materials produced for both external and internal audiences (public and staff) is included in the report, e.g. leaflets, brochures, strategies, posters, flyers, etc. The audit will provide important benchmarking information which will be used to track future progress.

Noted.

3. Equality Sub Group

Submitted Minutes of the Equality Sub Group Meeting held on 16 April 2012.

Noted.

4. Public Sector Equality Duty: Scottish Specific Duties

The Equality Act 2010 (Specific Duties) (Scotland) Regulations were introduced on 27 May 2012. The specific duties introduced have wide-ranging implications for the Council and will place new responsibilities on services to deliver them.

Noted.

5. Equality Developments

Submitted report considered by the Corporate Management Team on 9 May 2012, on developments regarding the public sector equality duty and its implications for the Council.

The Equality Act 2010 (Specific Duties) (Scotland) Regulations relate to

- ◆ Mainstreaming equality
- ◆ Equality outcomes
- ◆ Impact assessment and review of policies and practices
- ◆ Gathering and using employment information
- ◆ Gender pay gap information
- ◆ Equal pay statement
- ◆ Procurement and
- ◆ Publication duty

The mainstreaming duty requires the Council to publish an initial report by 30 April 2013 on how it has integrated the general duty into the Council's functions. The report must also incorporate information on the number and characteristics of the Council's employees and on the recruitment, development and retention of employees. Further reports on mainstreaming will require to be published every 2 years. A draft mainstreaming report will be submitted to Elected Members for approval in early 2013.

The Council's equality outcomes must be published by April 2013, and this must involve people with 'protected characteristics' in the preparation of the outcomes, consideration of the relevant evidence and the publishing of reasons for not setting outcomes on individual protected groups. A new web based resource on Scottish Equality Data and Evidence has been created by the Scottish Government to assist in reviewing the evidence available on inequalities in Scotland.

The Equality Sub Group has recommended to the CMT that the consultation should seek views on the following draft outcomes:-

Core Objective 1: Regenerating Communities & Increasing Employment

- ◆ More disabled people are in work and training
- ◆ The gender pay gap is reviewed

Core Objective 2: Protecting Vulnerable People

- ◆ The incidence of domestic abuse is reduced

Corporate Equality Group
12/6/12

- ◆ The incidence of hate crime is reduced
- ◆ Older people are more active and independent within their communities

Core Objective 3: Improving Educational Attainment

- ◆ More young people are leaving schools for positive, sustained destinations
- ◆ Bullying of young people in schools is reduced

A survey form and detailed consultation programme with groups is being prepared in consultation with Community Learning and Development which should enable equality groups to contribute to the equality outcomes most likely to make the biggest difference in tackling inequality.

An equality e-learning course has been developed and adapted for the Council. It has been piloted by the Corporate Equality Group and has received positive feedback. The course takes approximately one hour to complete and covers general equality awareness, the main issues arising from the new legislation and also has an equality impact assessment module.

The course will be launched in September to all managers. It is intended that it will be rolled out to all employees in early 2013.

Noted.

6. Annual Equality Report 2011/12

The draft Annual Equality Report 2011/12 will be circulated for consultation with the Corporate Equality Group in due course.

Noted.

7. Dates of Future Meetings

Meetings of the Corporate Equality Group in 2012 will be held on Mondays, at 10.00 a.m., on the undernoted dates:-

3 September and
3 December

The meeting ended at 11.25 a.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 14

4 September 2012

Cabinet

Subject: **Education Attainment and Achievement Policy
Board: Minutes of Meeting held on 13 August 2012**

Purpose: To submit the Minutes of the meeting of the Education Attainment and Achievement Policy Board held on 13 August 2012.

Recommendation: That the Cabinet agrees to note the Minutes.

1. Introduction

- 1.1 The first meeting of the Education Attainment and Achievement Policy Board took place on Monday 13 August 2012.

2. Current Position

- 2.1 The Minutes of the Education Attainment and Achievement Policy Board held on 13 August 2012 are attached as Appendix 1.

- 2.2 The key issues were:

- Purpose of Education;
- Early Years;
- How to increase membership of the Policy Board;
- Opportunities for the group to be involved in the work of the three thematic groups as part of the Validated Self Evaluation. The three thematic groups are:
 - Raising Attainment and Achievement
 - Early Years
 - Meeting all Learners Needs.

3. Proposals

- 3.1 It is proposed that Cabinet notes the Minutes.

4. Implications

Financial Implications

- 4.1 There are no financial implications arising from this report.

Human Resource Implications

- 4.2 There are no human resources implications arising from this report.

Legal Implications

- 4.3 There are no legal requirements arising from this report.

Equality Implications

- 4.4 There are no equality implications arising from this report.

Environmental Implications

- 4.5 There are no environmental implications arising from this report.

Implications for Key Priorities

- 4.6 There are no key priorities arising from this report.

5. Consultations

- 5.1 None required.

6. Conclusion

- 6.1 That the Cabinet notes the Minutes.



CAROL KIRK
Corporate Director (Education and Skills)

Reference : CK/MD/JN

For further information please contact Mary Docherty, Head of Service on
01294 324416

Background Papers

-

Education Attainment & Achievement Policy Board**13 August 2012 at 2.00pm**

At a meeting of the Education Attainment & Achievement Policy Board of North Ayrshire Council held on 13 August 2012 at 2.00 pm in the Council Chambers, Cunninghame House, Irvine.

Members Present:

Councillor John Bell
Councillor John Bruce
Councillor Anthony Gurney (Chair)
Councillor Tom Marshall
Councillor Catherine McMillan

Very Reverend Matthew Canon McManus

In Attendance:

Carol Kirk, Corporate Director (Education and Skills)
Mary Docherty Head of Service (Education 3-18)

Chair

Councillor Anthony Gurney

Apologies for Absence:

No apologies were received.

1. Remit of Education Attainment and Achievement Policy Board

Councillor Anthony Gurney thanked everyone for their attendance at this first meeting of the Education Attainment & Achievement Policy Board. The purpose of this Board is to provide a better outcome for all our children and the first stage towards this is to clarify the aims of the Board.

The consensus of the discussion was that we owe it to our young people to provide them with the best opportunities and best education possible. To achieve this we need to ensure that the service is the best it can be. Education is one of the most important services we deliver and it has a profound effect on peoples' lives.

Elected members and professionals agreed on the linkage of underachievement with the socio-economic profile and wanted every child to have the same opportunities and chances regardless of background.

Schools are good at celebrating academic excellence but need to encourage all achievements. Education of the whole child is not just the responsibility of the school. There have been improvements recently with the encouragement of parental involvement. Society has changed and all of our primary schools have a broad mix within them. Curriculum for Excellence is helping learners to be more confident.

2. Early Years

Early Years provides early education and childcare from a child's third birthday. There is provision for more vulnerable children from six months onwards. There are 300 places for vulnerable children and a key aspect is to work with parents (often very simple tasks that some would take for granted). The curriculum from age three onwards is to develop literacy and early numeracy skills. The Scottish Government is consulting on the proposal to increase provision to 600 hours of early education and childcare for three year olds.

£120,000 has been invested in the Solihull parenting approach. Staff across health, education and social services are trained in this universal approach to ensure a consistency. Already Early Years Heads are seeing a difference. However there are no instant results and it will take a while to see the overall impact. There is virtually universal nursery care with very few parents opting out (mainly those who would home school at a later stage). Attendance at nursery is not compulsory but nursery heads are encouraged to track attendance as this an important aspect of child protection.

Two Nurture Centres are at Hayocks Primary School and St Mark's Primary School. Nurture classes in a few schools have also been set up. The focus is on children who require support social and emotional development.

There has been an outdoor nursery pilot which has been described as fabulous but is expensive and there has been a big increase in the time spent outside for nursery children.

3. Familiarisation Visits/Activities

To get more information and to familiarise the Board with what is going on within early years centres and schools it was suggested to carry out visits. There are nursery classes attached to primary schools and early years centres which take children from a very early age. Mary Docherty will organise a series of dates for meetings and have invitations emailed out.

Councillors can contact their local school and ask to visit.

It was raised that there had been a reduction in the numbers of classroom assistants in primary schools last year but not for children with additional needs. However, it was advised that this Authority has very generous support compared to other Authorities.

4. Validated Self Evaluation

A validated self evaluation will take place within Education and Skills in September. An INEA inspection only takes place where there are concerns but a Service can volunteer to have a validated self evaluation and the members from the previous Council has asked for this. The three key areas being looked at are:

- Raising Attainment and Achievement;
- Early Years; and
- Meeting All Learners Needs.

Elected members agreed to participate in the validation visits and details will be sent in the near future.

5. Scottish Qualification Authority

The importance of young people gaining qualifications and moving to positive destinations was stressed. Vocational education is a key feature of our secondary schools and provision has increased in recent years. This can be an important driver in motivating young people.

There are a number of skill centres within certain schools where subjects such as building/construction and beauty can be studied alongside the more academic subjects. There is a developing area with Scottish apprenticeships. Certain employers e.g. Glaxo SmithKline will employ young people with ONC/HNC and then put them through their graduate programme themselves but will also take in graduates as well as apprentices straight from school. Employers are still looking for high achievement and employability skills.

A print out of the SQA results, taken from the school SEEMIS management system, was distributed. This gives an early indication of results but the STACS results will be better. Concern was raised regarding the number of credit levels. There is a reasonable conversion into Highers from last year's results. More information can be provided as more detailed information becomes available. Statistics have to be treated with caution and trends looked for.

6. A.O.C.B.

At the next meeting the focus will be on Early Years. An Early Years' officer and a Head of Centre will be invited to attend the next meeting. Other Councillors will be advised of these meetings in case they want to attend and it would be useful to increase membership of the Policy Board.

Carol Kirk will arrange for the New Church of Scotland rep to be contacted and invited to join this Policy Board.

Future meetings are to have specific topics.

NORTH AYRSHIRE COUNCIL

Agenda Item 15

4 September 2012

Cabinet

Subject: **Implementation of new SPSO Complaints Procedure**

Purpose: To inform Elected Members of the proposed change to the formal complaints procedure.

Recommendation: That Elected Members note the proposed changes and the progress made to date.

1. Introduction

- 1.1 The (Scottish Public Services Ombudsman) SPSO have produced a new two stage Complaints Handling Procedure which all Councils are to adopt by 1 April 2013. A Complaints Handling Review Group has been working to produce a plan for implementation and agree a CHP for North Ayrshire. For North Ayrshire Council to comply with the SPSO, the implementation plan and CHP must be submitted to the SPSO for review no later than September 2012.
- 1.2 The SPSO does not require Social Service complaints to be covered by the new procedure as they are currently subjected to a separate review. Due to the size of the project, it is recommended that Social Services be incorporated after the other Services in 2013/14.

2. Current Position

- 2.1 The Council currently operates a three stage complaint handling procedure.

Stage One: Informal

- 2.2 The majority of these complaints are handled by frontline staff and resolved at first point of contact. With the exception of the Customer Services, these complaints are not recorded or analysed therefore the information is not being used to drive service improvements.

Stage 2: Formal

- 2.3 The Council receives approximately 500+ formal complaints per year. Services record these in a variety of ways and are required to respond within 20 working days.

Stage 3: Corporate Director Review

- 2.4 If the customer is unhappy with the response received from the Council, they can request a review by a Corporate Director. Approximately 2% of complaints go to a Stage 3 review.
- 2.5 Should the customer remain unhappy with the outcome of the complaint there is an option for an external review either from the SPSO or the Social Services Complaints Committee.
- 2.6 Formal complaints account for less than 0.05% of all contacts handled by the Council and this does not give a true picture of customer feedback.

3. Proposals

- 3.1 The SPSO require the Council to move from a three stage process to a two stage process. A summary of the proposed new process is:

Stage 1: frontline resolution

- 3.2 This would be for complaints which are either resolved during the initial contact or for those complaints which are fairly straight forward and can be resolved within 5 working days.

Stage 2: Investigation

- 3.3 An investigation is required where the complaint is more complex, perhaps where more than one service or a third party is involved or maybe where the customer is vulnerable or the complaint involves a high risk area. Investigations must be concluded within 20 working days but this can be extended should mediation be required.
- 3.4 A copy of the full procedure for staff and customers are attached as Appendices 1a and 1b .
- 3.5 The new process should provide fuller information to Elected Members in relation to residents' issues and subsequent improvements that are being implemented. Reports should be available in a more timely manner.

- 3.6 Services will receive regular reports to enable them to analyse complaint trends and implement changes to improve the overall service delivered to customers. It is important that the focus is on improvement as opposed to driving down the volume of complaints which will be a significant cultural change for the Council.
- 3.7 A copy of the implementation plan is attached as Appendix 2.
- 3.8 The implementation of the new procedure will involve workshops with each individual service where the procedure will be tailored to suit the working practices.

4. Implications

Financial Implications

- 4.1 There are both direct and indirect financial implications. The volume of complaints to be recorded will significantly increase with the requirement of the Council to record and report on what was previously considered to be informal complaints. More than 200 staff will require training in the new procedure and the IT system used to record the complaints.
- 4.2 There are some enhancements required to the existing Lagan CRM system to meet the reporting requirements with the estimated cost being £8,500.

Human Resource Implications

- 4.3 Frontline staff will require additional training in the new procedure and IT system and will be taking on additional duties at a time when resources are already stretched. Workshops are being held with every service to tailor the implementation to individual services and minimise the resource impact.

Legal Implications

- 4.4 The loss of the Corporate Director review poses a potential risk to the Council. It is recommended that certain complaints be reviewed by Corporate Directors as part of the investigation stage in order to minimise risks and this is being incorporated to the individual service procedures.

Equality Implications

- 4.5 An Equality Impact Assessment has been completed and there are no equality implications.

Environmental Implications

4.6 None

Implications for Key Priorities

- 4.7 The complaints system helps to fulfil Single Outcome Agreement 15a "Public perceptions of public services have improved" and 15b "Public services are more efficient and effective".

5. Consultations

- 5.1 The SPSO carried out consultations with both Local Authorities and customers during the development of the Complaints Handling Procedure. North Ayrshire Council attended the Tenants Participation meeting in August to communicate the changes and initial feedback was positive. A pilot of the new procedure will launch in September 2012 and each customer who complains will receive a survey requesting feedback on the new procedure. The feedback will be incorporated as part of the final procedure being implemented for 1 April 2013.

6. Conclusion

- 6.1 North Ayrshire Council are on target to comply with the requirement to introduce a new two stage complaint handling procedure by 1 April 2013. The full impact across all Services will not be understood until after the completion of the pilots within Education and Environment and Related Services. A quarterly update on progress will be provided to Elected Members.



IAN T MACKAY
Solicitor to the Council

Reference :

For further information please contact Esther Gunn- Stewart, Customer Services Manager on telephone number 01294 323960

Background Papers

SPSO Guidance

North Ayrshire Council Complaints Handling Procedure

Issued: Draft

Local Authority Complaints Handling Procedure

Foreword

Our complaints handling procedure reflects North Ayrshire's commitment to valuing complaints. It seeks to resolve customer dissatisfaction as close as possible to the point of service delivery and to conduct thorough, impartial and fair investigations of customer complaints so that, where appropriate, we can make evidence-based decisions on the facts of the case.

The procedure has been developed by local government complaints handling experts working closely with the Scottish Public Services Ombudsman (SPSO). We have tried to produce a standard approach to handling complaints across local government, which complies with the SPSO's guidance on a model complaints handling procedure. This procedure aims to help us 'get it right first time'. We want quicker, simpler and more streamlined complaints handling with local, early resolution by capable, well-trained staff.

Complaints give us valuable information we can use to improve customer satisfaction. Our complaints handling procedure will enable us to address a customer's dissatisfaction and may also prevent the same problems that led to the complaint from happening again. For our staff, complaints provide a first-hand account of the customer's views and experience, and can highlight problems we may otherwise miss. Handled well, complaints can give our customers a form of redress when things go wrong, and can also help us continuously improve our services.

Resolving complaints early saves money and creates better customer relations. Sorting them out as close to the point of service delivery as possible means we can deal with them locally and quickly, so they are less likely to escalate to the next stage of the procedure. Complaints that we do not resolve swiftly can greatly add to our workload.

The complaints handling procedure will help us do our job better, improve relationships with our customers and enhance public perception of the local authority. It will help us keep the user at the heart of the process, while enabling us to better understand how to improve our services by learning from complaints.

| | |
|--|-----------|
| How to use this Model Complaints Handling Procedure..... | 1 |
| What is a complaint? | 2 |
| Handling anonymous complaints | 2 |
| What if the customer does not want to complain?..... | 3 |
| Who can make a complaint? | 3 |
| Complaints involving more than one service or organisation | 3 |
| Social work complaints..... | 4 |
| Care complaints..... | 4 |
| The complaints handling process | 5 |
| Stage one: frontline resolution..... | 5 |
| <i>What to do when you receive a complaint.....</i> | <i>6</i> |
| <i>Timelines</i> | <i>7</i> |
| <i>Extension to the timeline</i> | <i>7</i> |
| <i>Closing the complaint at the frontline resolution stage.....</i> | <i>8</i> |
| <i>When to escalate to the investigation stage.....</i> | <i>8</i> |
| Stage two: investigation | 10 |
| <i>What to do when you receive a complaint for investigation.....</i> | <i>10</i> |
| <i>Timelines</i> | <i>10</i> |
| <i>Extension to the timeline</i> | <i>10</i> |
| <i>Mediation.....</i> | <i>11</i> |
| <i>Closing the complaint at the investigation stage</i> | <i>11</i> |
| <i>Independent external review</i> | <i>12</i> |
| Governance of the Complaints Handling Procedure..... | 13 |
| Roles and responsibilities | 13 |
| Complaints about senior staff..... | 15 |
| Recording, reporting, learning and publicising..... | 15 |
| <i>Recording complaints.....</i> | <i>15</i> |
| <i>Reporting of complaints.....</i> | <i>15</i> |
| <i>Learning from complaints</i> | <i>16</i> |
| <i>Publicising complaints performance information</i> | <i>16</i> |
| Maintaining confidentiality | 16 |
| Managing unacceptable behaviour..... | 17 |
| Supporting the customer | 17 |
| Time limit for making complaints..... | 17 |
| Appendix 1 - Complaints..... | 18 |
| Appendix 2 - What is not a complaint | 20 |
| Appendix 3 - Timelines..... | 22 |
| Appendix 4 - The complaints handling procedure Appendix 4 | 26 |

How to use this Model Complaints Handling Procedure

This document explains to staff how to handle complaints. Another document provides information for customers on the complaints procedure. Together, these form our complaints handling procedure.

It contains references and links to more details on parts of the procedure, such as how to record complaints, and the criteria for signing off and agreeing time extensions. These explain how to process, manage and reach decisions on different types of complaints. The language used reflects its status as an internal document. So 'we' refers to the local authority.

What is a complaint?

North Ayrshire Council's definition of a complaint is:

'An expression of dissatisfaction by one or more members of the public about the local authority's action or lack of action, or about the standard of service provided by or on behalf of the local authority.'

A complaint may relate to:

- failure to provide a service
- inadequate standard of service
- dissatisfaction with local authority policy
- treatment by or attitude of a member of staff
- disagreement with a decision where the customer cannot use another procedure (for example an appeal) to resolve the matter
- the local authority's failure to follow the appropriate administrative process.

This list does not cover everything.

[Appendix 1](#) provides a range of examples of complaints we may receive, and how these may be handled.

A complaint is **not**:

- a routine first-time request for a service
- a request for compensation only
- issues that are in court or have already been heard by a court or a tribunal
- disagreement with a decision where a statutory right of appeal exists, for example in relation to council tax or planning
- an attempt to reopen a previously concluded complaint or to have a complaint reconsidered where we have already given our final decision.

These issues should not be treated as complaints, customers should be directed to use the appropriate procedures.

[Appendix 2](#) gives more examples of 'what is not a complaint' and how to direct customers appropriately.

Handling anonymous complaints

We value all complaints. This means we treat all complaints including anonymous complaints seriously and will take action to consider them further, wherever this is appropriate. Generally, we will consider anonymous complaints if there is enough information in the complaint to enable us to make further enquiries. If, however, an anonymous complaint does not provide enough information to enable us to take further action, we may decide not to pursue it further. Any decision not to pursue an anonymous complaint must be authorised by a senior manager.

If an anonymous complaint makes serious allegations, we will refer it to a senior officer immediately.

If we pursue an anonymous complaint further, we will record the issues as an anonymous complaint on the complaints system. This will help to ensure the completeness of the complaints data we record and allow us to take corrective action where appropriate.

What if the customer does not want to complain?

If a customer has expressed dissatisfaction in line with our definition of a complaint but does not want to complain, tell them that we do consider all expressions of dissatisfaction, and that complaints offer us the opportunity to improve services where things have gone wrong. Encourage the customer to submit their complaint and allow us to deal with it through the complaints handling procedure. This will ensure that the customer is updated on the action taken and gets a response to their complaint.

If, however, the customer insists they do not wish to complain, record the issue as an anonymous complaint. This will ensure that the customer's details are not recorded on the complaints database and that they receive no further contact about the matter. It will also help to ensure the completeness of the complaints data recorded and will still allow us to fully consider the matter and take corrective action where appropriate.

Please refer to the example in [Appendix 1](#) for further guidance.

Who can make a complaint?

Anyone who receives, requests or is affected by services delivered by the Council can make a complaint. Sometimes a customer may be unable or reluctant to make a complaint on their own. North Ayrshire Council will accept complaints brought by third parties as long as the customer has given their personal consent.

Complaints involving more than one service or organisation

If a complaint relates to the actions of two or more local authority services, you must tell the customer who will take the lead in dealing with the complaint, and explain that they will get only one response covering all issues raised. Customer Services will take the lead with multi-service complaints and will co-ordinate the response to the customer.

If a customer complains to the local authority about the service of another agency or public service provider, but the local authority has no involvement in the issue, the customer should be advised to contact the appropriate organisation directly. However, where, a complaint relates to a local authority service and the service of another agency or public service provider, (for example a housing association or a government department), and the local authority has a direct interest in the issue, you must handle the complaint about the local authority through the CHP. If you need to make enquiries to an outside agency in relation to the complaint always take account of data protection legislation and our guidance on handling our customer's personal information. The Information Commissioner has detailed guidance on data sharing and has issued a data sharing code of practice.

Such complaints may include:

- a complaint made to us about a claim for housing benefit where the customer's dissatisfaction relates to the service we have provided and the service the DWP has provided
- a complaint made to us about antisocial behaviour where the customer's dissatisfaction relates to the service we have provided and the service the housing association has provided.

Social work complaints

The procedure for social work complaints is slightly different from our general complaints procedure, as it currently follows specific legislation and guidance. This legislation and guidance is being reviewed by the Scottish Government. In due course, SPSO will inform us about any changes to the procedure.

You can find more about how to handle a complaint about social work services here.

Social Services Complaints

Social Services complaints will have a two stage internal complaints procedure in line with other Council departments. Should the customer be unhappy with the outcome of a complaints investigation they can refer the complaint to the Social Work Complaints Review Committee to look into the matter. The request should be made within one month of receiving the Council's final response.

Care complaints

Local authorities that provide care services must be registered with the Care Inspectorate. Anyone receiving care services from us has the right to complain either direct to the Care Inspectorate or to us.

Customers may also receive care or support from other agencies under a contract with us. They may direct complaints about these services either to us (just like complaints about any local authority service) or directly to the Care Inspectorate.

The Care Inspectorate's contact details can be found on their website:

<http://www.scswis.com/>

Or:

telephone 0845 600 9527

fax 01382 207 289

complete an online complaints form at <http://www.scswis.com>, or

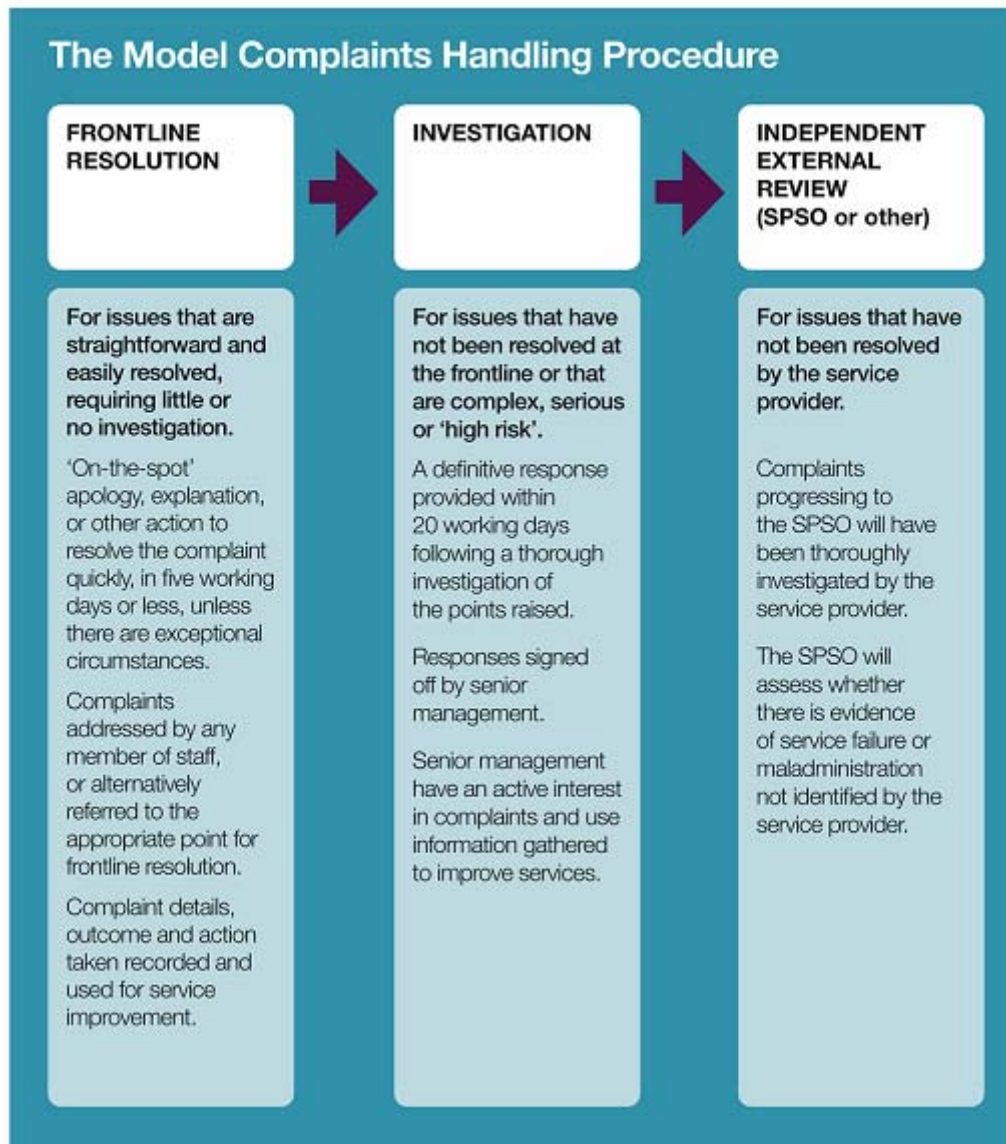
email enquiries@careinspectorate.com

The complaints handling process

Our complaints handling procedure aims to provide a quick, simple and streamlined process for resolving complaints early and locally by capable, well-trained staff.

Our complaints process provides two opportunities to resolve complaints internally:

- **frontline resolution**, and
- **investigation**



For clarity, the term 'frontline resolution' refers to the first stage of the complaints process. It does not reflect any job description within North Ayrshire Council but means seeking to resolve complaints at the initial point of contact where possible.

Stage one: frontline resolution

Frontline resolution aims to quickly resolve straightforward customer complaints that require little or no investigation. Any member of staff may deal with complaints at this stage.

The main principle is to seek early resolution, resolving complaints at the earliest opportunity and as close to the point of service delivery as possible. This may mean a face-to-face discussion with the customer, or asking an appropriate member of staff to deal directly with the complaint.

Appendix 1 gives examples of the types of complaint we may consider at this stage, with suggestions on how to resolve them.

In practice, frontline resolution means resolving the complaint at the first point of contact with the customer, either by the member of staff receiving the complaint or other identified staff.

In either case, you may settle the complaint by providing an on-the-spot apology where appropriate, or explaining why the issue occurred and, where possible, what will be done to stop this happening again. You may also explain that, as an organisation that values complaints, we may use the information given when we review service standards in the future.

A customer can make a complaint in writing, in person, by telephone, by email or online, or by having someone complain on their behalf. You must always consider frontline resolution, regardless of how you have received the customer's complaint.

What to do when you receive a complaint

- 1 On receiving a complaint, you must first decide whether the issue can indeed be defined as a complaint. The customer may express dissatisfaction about more than one issue. This may mean you treat one element as a complaint, while directing the customer to pursue another element through an alternative route (see **Appendix 2**).
- 2 If you have received and identified a complaint, record the details on our the Lagan CRM complaints system.
- 3 Next, decide whether or not the complaint is suitable for frontline resolution. Some complaints will need to be fully investigated before you can give the customer a suitable response. You must escalate these complaints immediately to the investigation stage.
- 4 Where you think frontline resolution is appropriate, you must consider four key questions:
 - What exactly is the customer's complaint (or complaints)?
 - What does the customer want to achieve by complaining?
 - Can I achieve this, or explain why not?
 - If I cannot resolve this, who can help with frontline resolution?

What exactly is the customer's complaint (or complaints)?

It is important to be clear about exactly what the customer is complaining of. You may need to ask the customer for more information and probe further to get a full picture.

What does the customer want to achieve by complaining?

At the outset, clarify the outcome the customer wants. Of course, the customer may not be clear about this, and you may need to probe further to find out what they expect, and whether they can be satisfied.

Can I achieve this, or explain why not?

If you can achieve the expected outcome by providing an on-the-spot apology or explain why you cannot achieve it, you should do so. If you consider an apology is appropriate, you may wish to follow the SPSO's guidance on the subject:

SPSO guidance on apology

The customer may expect more than we can provide. If so, you must tell them as soon as possible. An example would be where the customer is so dissatisfied with a kitchen refurbishment that they demand a new kitchen, but we are only willing to repair any broken units.

You are likely to have to convey the decision face to face or on the telephone. If you do so face to face, by telephone or by email, you are not required to write to the customer as well, although you may choose to do so. It is important, however, to keep a full and accurate record of the decision reached and passed to the customer.

If I can't resolve this, who can help with frontline resolution?

If you cannot deal with the complaint because, for example, you are unfamiliar with the issues or area of service involved, pass details of the complaint to someone who can attempt to resolve it.

Timelines

Frontline resolution must be completed within **five working days**, although in practice we would often expect to resolve the complaint much sooner.

You may need to get more information from other services to resolve the complaint at this stage. However, it is important to respond to the customer within five working days, either resolving the matter or explaining that their complaint is to be investigated.

Extension to the timeline

In exceptional circumstances, where there are clear and justifiable reasons for doing so, you may agree an extension of no more than five working days with the customer. This must only happen when an extension will make it more likely that the complaint will be resolved at the frontline resolution stage.

When you ask for an extension, you must get authorisation from the appropriate senior manager, who will decide whether you need an extension to effectively resolve the complaint. Examples of when this may be appropriate include staff or contractors being temporarily unavailable. If, however, the issues are so complex that they cannot be resolved in five days, it may be more

appropriate to escalate the complaint straight to the investigation stage. You must tell the customer about the reasons for the delay, and when they can expect your response.

If the customer does not agree to an extension but it is unavoidable and reasonable, a senior manager must decide on the extension. You must then tell the customer about the delay and explain the reason for the decision to grant the extension.

It is important that such extensions do not become the norm. Rather, the timeline at the frontline resolution stage should be extended only rarely. All attempts to resolve the complaint at this stage must take no longer than **ten working days** from the date you receive the complaint.

The proportion of complaints that exceed the five-day limit will be evident from reported statistics. These statistics must go to our senior management team on a quarterly basis.

Any extension of the 5 day timeline will be recorded and reported upon.

[Appendix 3](#) provides further information on timelines.

Closing the complaint at the frontline resolution stage

When you have informed the customer of the outcome, you are not obliged to write to the customer, although you may choose to do so. You must ensure that our response to the complaint addresses all areas that we are responsible for and explains the reasons for our decision. It is also important to keep a full and accurate record of the decision reached and given to the customer. The complaint should then be closed and the complaints system updated accordingly.

When to escalate to the investigation stage

A complaint must be escalated to the investigation stage when:

- frontline resolution was tried but the customer remains dissatisfied and requests an investigation into the complaint. This may be immediately on communicating the decision at the frontline stage or could be some time later
- the customer refuses to take part in the frontline resolution process
- the issues raised are complex and require detailed investigation
- the complaint relates to serious, high-risk or high-profile issues.

When a previously closed complaint is escalated from the frontline resolution stage, the complaint should be reopened on Lagan CRM.

Take particular care to identify complaints that might be considered serious, high risk or high profile, as these may require particular action or raise critical issues that need senior management's direct input. The SPSO defines potential high-risk or high-profile complaints as those that may:

- involve a death or terminal illness
- involve serious service failure, for example major delays in providing, or repeated failures to provide, a service
- generate significant and ongoing press interest

- pose a serious risk to local authority operations
- present issues of a highly sensitive nature, for example concerning:
 - immediate homelessness
 - a particularly vulnerable person
 - child protection.

Stage two: investigation

Not all complaints are suitable for frontline resolution and not all complaints will be satisfactorily resolved at that stage. Complaints handled at the investigation stage of the complaints handling procedure are typically complex or require a detailed examination before we can state our position. These complaints may already have been considered at the frontline resolution stage, or they may have been identified from the start as needing immediate investigation.

An investigation aims to establish all the facts relevant to the points made in the complaint and to give the customer a full, objective and proportionate response that represents our final position.

What to do when you receive a complaint for investigation

It is important to be clear from the start of the investigation stage exactly what you are investigating, and to ensure that both the customer and the service understand the investigation's scope.

It may be helpful to discuss and confirm these points with the customer at the outset, to establish why they are dissatisfied and whether the outcome they are looking for sounds realistic. In discussing the complaint with the customer, consider three key questions:

1. What specifically is the customer's complaint or complaints?
2. What does the customer want to achieve by complaining?
3. Are the customer's expectations realistic and achievable?

It may be that the customer expects more than we can provide. If so, you must make this clear to the customer as soon as possible.

Where possible you should also clarify what additional information you will need to investigate the complaint. The customer may need to provide more evidence to help us reach a decision.

Details of the complaint must be recorded on the Lagan CRM system. Where appropriate, this will be done as a continuation of frontline resolution. The details must be updated when the investigation ends.

If the investigation stage follows attempted frontline resolution, you must hand over all case notes and associated information to the officer responsible for the investigation, and record that you have done so.

Timelines

The following deadlines are appropriate to cases at the investigation stage:

- complaints must be acknowledged within **three working days**
- you should provide a full response to the complaint as soon as possible but not later than **20 working days** from the time you received the complaint for investigation.

Extension to the timeline

Not all investigations will be able to meet this deadline. For example, some complaints are so complex that they require careful consideration and detailed investigation beyond the 20-day limit.

However, these would be the exception and you must always try to deliver a final response to a complaint within 20 working days.

If there are clear and justifiable reasons for extending the timescale, senior management will set time limits on any extended investigation, as long as the customer agrees. You must keep the customer updated on the reason for the delay and give them a revised timescale for completion. If the customer does not agree to an extension but it is unavoidable and reasonable, then senior management must consider and confirm the extension. The reasons for an extension might include the following:

- Essential accounts or statements, crucial to establishing the circumstances of the case, are needed from staff, customers or others but they cannot help because of long-term sickness or leave.
- You cannot obtain further essential information within normal timescales.
- Operations are disrupted by unforeseen or unavoidable operational circumstances, for example industrial action or severe weather conditions.
- The customer has agreed to mediation as a potential route for resolution.

These are only a few examples, and you must judge the matter in relation to each complaint. However, an extension would be the exception and you must always try to deliver a final response to the complaint within 20 working days.

As with complaints considered at the frontline stage, the proportion of complaints that exceed the 20-day limit will be evident from reported statistics. These statistics must go to our senior management team on a quarterly basis.

Appendix 3 provides further information on timelines.

Mediation

Some complex complaints, or complaints where customers and other interested parties have become entrenched in their position, may require a different approach to resolving the complaint. Where appropriate, you may consider using services such as mediation or conciliation using suitably trained and qualified mediators to try to resolve the matter and to reduce the risk of the complaint escalating further.

Mediation will help both parties to understand what has caused the complaint, and so is more likely to lead to mutually satisfactory solutions.

If you and the customer agree to mediation, revised timescales will need to be agreed.

Closing the complaint at the investigation stage

You must let the customer know the outcome of the investigation, in writing or by their preferred method of contact. Our response to the complaint must address all areas that we are responsible for and explain the reasons for our decision. You must record the decision, and details of how it was communicated to the customer, on the system for recording complaints. You must also make clear to the customer:

- their right to ask SPSO to consider the complaint

- the time limit for doing so, and
- how to contact the SPSO.

Independent external review

Once the investigation stage has been completed, the customer has the right to approach the SPSO if they remain dissatisfied.

The SPSO considers complaints from people who remain dissatisfied at the conclusion of our complaints procedure. The SPSO looks at issues such as service failures and maladministration (administrative fault), as well as the way we have handled the complaint.

The SPSO recommends that you use the wording below to inform customers of their right to ask SPSO to consider the complaint. The SPSO also provides a leaflet, [The Ombudsman and your organisation](#), which you may find helpful in deciding how and when to refer someone to the SPSO.

Information about the SPSO

The Scottish Public Services Ombudsman (SPSO) is the final stage for complaints about public services in Scotland. This includes complaints about Scottish councils. If you remain dissatisfied with a council after its complaints process, you can ask the SPSO to look at your complaint. The SPSO cannot normally look at complaints:

- where you have not gone all the way through the council's complaints handling procedure
- more than 12 months after you became aware of the matter you want to complain about, or
- that have been or are being considered in court.

The SPSO's contact details are:

SPSO
4 Melville Street
Edinburgh
EH3 7NS

SPSO
Freepost EH641
Edinburgh
EH3 0BR

Freephone: **0800 377 7330**
Online contact www.spsso.org.uk/contact-us
Website: www.spsso.org.uk
Mobile site: <http://m.spsso.org.uk>

Governance of the Complaints Handling Procedure

Roles and responsibilities

Overall responsibility and accountability for the management of complaints lies with the local authority's Chief Executive and senior management.

Our final position on the complaint must be signed off by an appropriate senior officer and we will confirm that this is our final response. This ensures that our senior management own and are accountable for the decision. It also reassures the customer that their concerns have been taken seriously.

Chief Executive: The Chief Executive provides leadership and direction in ways that guide and enable us to perform effectively across all services. This includes ensuring that there is an effective complaints handling procedure, with a robust investigation process that demonstrates how we learn from the complaints we receive. The Chief Executive may take a personal interest in all or some complaints, or may delegate responsibility for the complaint handling procedure to senior staff. Regular management reports assure the Chief Executive of the quality of complaints performance.

Directors: The Corporate Directors are responsible for:

- managing complaints and the way we learn from them
- overseeing the implementation of actions required as a result of a complaint
- investigating complaints

However, directors may decide to delegate some elements of complaints handling (such as investigations and the drafting of response letters) to other senior staff. Where this happens, directors should retain ownership and accountability for the management and reporting of complaints. They may also be responsible for preparing and signing decision letters to customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.

Heads of service: responsible for the operational investigation and management of complaints handling. As senior officers they may be responsible for preparing and signing decision letters to customers, so they should be satisfied that the investigation is complete and their response addresses all aspects of the complaint.

Complaints investigator: The complaints investigator is responsible and accountable for the management of the investigation. They will be based within the Services and will be Managers who will be required to take ownership of individual complaints. This may include preparing a comprehensive written report, including details of any procedural changes in service delivery that could result in wider opportunities for learning across the local authority.

All local authority staff: A complaint may be made to any member of staff in the local authority. So all staff must be aware of the complaints handling procedure and how to handle and record complaints at the frontline stage. They should also be aware of who to refer a complaint to, in case they are not able to personally handle the matter. We encourage all staff to try to resolve

complaints early, as close to the point of service delivery as possible, and quickly to prevent escalation.

For those staff whose role involves handling customer contacts on a regular basis as a major part of their role, this will include taking and resolving complaints at first point of contact and recording the details on Lagan. For those staff who may handle complaints infrequently, this will mean directing customers on how to complain through providing details of our website or contact centre,

Local authority SPSO liaison officer: Our SPSO liaison officer's role is to provide complaints information in an orderly, structured way within requested timescales, providing comments on factual accuracy on our behalf in response to SPSO reports, and confirming and verifying that recommendations have been implemented.

Complaints about senior staff

Complaints about senior staff can be difficult to handle, as there may be a conflict of interest for the staff investigating the complaint. When serious complaints are raised against senior staff, it is particularly important that the investigation is conducted by an individual who is independent of the situation. We must ensure we have strong governance arrangements in place that set out clear procedures for handling such complaints.

Recording, reporting, learning and publicising

Complaints provide valuable customer feedback. One of the aims of the complaints handling procedure is to identify opportunities to improve services across North Ayrshire Council. We must record all complaints in a systematic way so that we can use the complaints data for analysis and management reporting. By recording and using complaints information in this way, we can identify and address the causes of complaints and, where appropriate, identify training opportunities and introduce service improvements.

Recording complaints

To collect suitable data it is essential to record all complaints in line with SPSO minimum requirements, as follows:

- the customer's name and address
- the date the complaint was received
- the nature of the complaint
- how the complaint was received
- the service the complaint refers to
- the date the complaint was closed at the frontline resolution stage (where appropriate)
- the date the complaint was escalated to the investigation stage (where appropriate)
- action taken at the investigation stage (where appropriate)
- the date the complaint was closed at the investigation stage (where appropriate)
- the outcome of the complaint at each stage
- the underlying cause of the complaint and any remedial action taken.

We have structured systems for recording complaints, their outcomes and any resulting action. These provide a detailed record of services that have failed to satisfy customers.

A training programme for all frontline staff incorporating the recording and monitoring of complaints on Lagan CRM is available through the Council's Corporate Training Calendar.

Reporting of complaints

Complaints details are analysed for trend information to ensure we identify service failures and take appropriate action. Regularly reporting the analysis of complaints information helps to inform management of where services need to improve.

We publish on a quarterly basis the outcome of complaints and the actions we have taken in response. This demonstrates the improvements resulting from complaints and shows that complaints can influence our services. It also helps ensure transparency in our complaints handling service and will help to inform our customers that we value their complaints.

We must:

- publicise on a quarterly basis complaints outcomes, trends and actions taken
- use case studies and examples to demonstrate how complaints have helped improve services.

This information should be reported regularly (and at least quarterly) to our senior management team.

Learning from complaints

At the earliest opportunity after the closure of the complaint, the complaint handler should always make sure that the customer and staff of the department involved understand the findings of the investigation and any recommendations made.

Senior management will review the information gathered from complaints regularly and consider whether our services could be improved or internal policies and procedures updated.

As a minimum, we must:

- use complaints data to identify the root cause of complaints
- take action to reduce the risk of recurrence
- record the details of corrective action in the complaints file, and
- systematically review complaints performance reports to improve service delivery.

Where we have identified the need for service improvement:

- the action needed to improve services must be authorised
- an officer (or team) should be designated the 'owner' of the issue, with responsibility for ensuring the action is taken
- a target date must be set for the action to be taken
- the designated individual must follow up to ensure that the action is taken within the agreed timescale
- where appropriate, performance in the service area should be monitored to ensure that the issue has been resolved
- we must ensure that local authority staff learn from complaints.

Publicising complaints performance information

We also report on our performance in handling complaints annually in line with SPSO requirements. This includes performance statistics showing the volumes and types of complaints and key performance details, for example on the time taken and the stage at which complaints were resolved.

Maintaining confidentiality

Confidentiality is important in complaints handling. It includes maintaining the customer's confidentiality and explaining to them the importance of confidentiality generally. We must always

bear in mind legal requirements, for example, data protection legislation, as well as internal policies on confidentiality and the use of customers' information.

Managing unacceptable behaviour

People may act out of character in times of trouble or distress. The circumstances leading to a complaint may result in the customer acting in an unacceptable way. Customers who have a history of challenging or inappropriate behaviour, or have difficulty expressing themselves, may still have a legitimate grievance.

A customer's reasons for complaining may contribute to the way in which they present their complaint. Regardless of this, we must treat all complaints seriously and properly assess them. However, we also recognise that the actions of customers who are angry, demanding or persistent may result in unreasonable demands on time and resources or unacceptable behaviour towards our staff. We will, therefore, apply our policies and procedures to protect staff from unacceptable behaviour such as unreasonable persistence, threats or offensive behaviour from customers. Where we decide to restrict access to a customer under the terms of an unacceptable actions policy, we have a procedure in place to communicate that decision, notify the customer of a right of appeal, and review any decision to restrict contact with us. This will allow the customer to demonstrate a more reasonable approach later.

Supporting the customer

All members of the community have the right to equal access to our complaints handling procedure. Customers who do not have English as a first language may need help with interpretation and translation services, and other customers may have specific needs that we will seek to address to ensure easy access to the complaints handling procedure.

We must always take into account our commitment and responsibilities to equality. This includes making reasonable adjustments to our service to help the customer where appropriate.

Several support and advocacy groups are available to support customers in pursuing a complaint and customers should be signposted to these as appropriate.

Time limit for making complaints

This complaints handling procedure sets a time limit of six months from when the customer first knew of the problem, within which time they may ask us to consider the complaint, unless there are special circumstances for considering complaints beyond this time.

We will apply this time limit with discretion. In decision making we will take account of the Scottish Public Services Ombudsman Act 2002 (Section 10(1)), which sets out the time limit within which a member of the public can normally ask the SPSO to consider complaints. The limit is one year from when the person first knew of the problem they are complaining about, unless there are special circumstances for considering complaints beyond this time.

If it is clear that a decision not to investigate a customer's complaint will lead to a request for external review of the matter, we may decide that this satisfies the special circumstances criteria. This will enable us to consider the complaint and try to resolve it.

Appendix 1 - Complaints

The following tables give examples of complaints that may be considered at the frontline stage, and suggest possible actions to achieve resolution.

| Complaint | Possible actions to achieve resolution |
|---|---|
| The customer complains that her council tax direct debit has been set up wrongly. | Apologise to the customer and resolve the issue by properly updating the direct debit details. |
| The customer has provided evidence to verify his claim for benefits, but the Benefits Service has not updated his case records with this information. | <ul style="list-style-type: none"> • Apologise to the customer. • Update the customer's benefit record to record receipt of evidence. • Check that the benefit award is corrected from the appropriate date. |
| The customer complains that a workman did not attend to carry out a housing repair as we had agreed. | <ul style="list-style-type: none"> • Speak to the workman, the service or the service manager to explain the customer's complaint and to agree how to resolve the issue, for example by arranging a new time and date to do the repair. • Explain the reasons for the failed appointment and apologise to the customer. |
| The customer complains that the quality of a repair done by us or our contractor is not satisfactory. | <ul style="list-style-type: none"> • Ask the service department to examine the repair to assess whether or not it is acceptable. • If appropriate, agree that the service department should do more work to resolve the matter. • Explain and apologise to the customer. • Obtain a report from the service or contractor to confirm that the repair is now complete. • Feedback the lessons learned from the complaint into a service improvement plan. |
| The customer complains that a road is not on our winter gritting route so has not been gritted. | <ul style="list-style-type: none"> • Find out which roads are on our agreed gritting routes, and explain this route to the customer. • Use the customer's concerns to inform our future approach to gritting roads. |

| Complaint | Possible actions to achieve resolution |
|--|--|
| <p>The customer complains that his home carer turned up late and was smoking.</p> | <ul style="list-style-type: none"> • Contact the care service to discuss the matter with a service manager. • The care service should check the timetable for visits and discuss with the home carer the complaint about smoking. The care service should let you know the outcome. • You in turn contact the customer to explain the policy, confirm the timing of visits (for example between 08:00 and 12 noon) and, where appropriate, apologise for the inconvenience. |
| <p>The customer complains that a night-working refuse collector woke her up by making excessive noise.</p> | <ul style="list-style-type: none"> • Explain our policy on refuse collection, in particular the approach to night working. • Tell the customer that you will pass on details of the complaint to the service to highlight the noise issue and ask the service to do what they can to control noise. • Apologise to the customer for the inconvenience. |
| <p>The customer expresses dissatisfaction in line with the definition of a complaint, but says she does not want to complain – just wants to tell us about the matter.</p> | <ul style="list-style-type: none"> • Tell the customer that we value complaints because they help to improve services. Encourage them to submit the complaint. • In terms of improving service delivery and learning from mistakes, it is important that customer feedback, such as this, is recorded, evaluated and acted upon. Therefore, if the customer still insists that they do not want to complain, record the matter as an anonymous complaint. This will avoid breaching the complaints handling procedure. Reassure the customer that they will not be contacted again about the matter. |

Appendix 2 - What is not a complaint

A concern may not necessarily be a complaint. For example, a customer might make a routine first-time request for a service. This is not a complaint, but the issue may escalate into a complaint if it is not handled effectively and the customer has to keep on asking for service.

A customer may also be concerned about various local authority decisions. These decisions may have their own specific review or appeal procedures, and, where appropriate, customers must be directed to the relevant procedure. The following paragraphs provide examples of the types of issues or concerns that must not be handled through the complaints handling procedure. This is not a full list, and you should decide the best route for resolution based on the individual case.

Example 1: Planning

Customers may express dissatisfaction after the refusal of planning or other related permissions. An example would be dissatisfaction with a condition of consent or an enforcement action.

Planning applicants, or their agent, have the right to appeal to Scottish Ministers on planning or related matters determined by Committee or decided under delegated powers. Appeals are usually, but not always, decided by a Reporter from the Directorate of Planning and Environmental Appeals and can be considered on the basis of written submissions or by a hearing or public inquiry. The Reporter appointed to consider the appeal will manage the whole process and consider how to gather enough information to make a decision.

Customers who are dissatisfied with one of our planning decisions, and who have a right to appeal to Scottish Ministers, should be directed to this service. However, some complaints about planning matters are from third parties such as neighbours. These customers do not have the right of appeal to Scottish Ministers. These complaints should, therefore, be considered through the CHP.

Example 2: Benefits

A customer may be dissatisfied or disagree with a decision about their housing or council tax benefit claim. This is not a complaint. The customer may ask us to review the decision. If they remain dissatisfied at the outcome of the review or reconsideration of their claim, they may also appeal against our decision to an independent appeal tribunal. Where they want to do so, you should direct them appropriately.

Example 3: Claims for compensation

A customer may seek compensation from us if they consider us liable. This includes issues such as personal injury or loss of or damage to property. Claims for compensation only are not complaints, so you must not handle them through the complaints handling procedure. You should be clear, however, that where a customer wants to complain about the matter leading to their request for compensation, for example workmen damaging their home, or the condition of a public road causing damage to a motor vehicle, you may consider that matter as a complaint, but deal with the request for compensation separately. You may decide to suspend complaint action pending the outcome of the claim for compensation. If you do this, you must notify the customer

and explain that the complaint will be fully considered when the compensation claim has been resolved.

If you receive a compensation claim, you should explain to the customer the process for seeking resolution in line with our policy on these claims.

You can still make 'time and trouble' payments for inconvenience suffered by customers, in line with our policy on such matters. This is distinct from compensation claims.

Example 4: Licence decisions

We are responsible for issuing various licences, including public entertainment, HMO (houses in multiple occupation), liquor and taxi licences. These have their own legal redress. Customers who are dissatisfied with these decisions will have to pursue this through the correct procedure for the type of licence they want.

Example 5: School exclusions and placing requests

Decisions on appeals against a pupil's exclusion from school or a refusal of a school placing request are made by Committee. Once the Committee has ruled, the customer cannot then use the complaints process to continue their case.

Example 6: School exam results

Schools have devolved authority to offer examinations on the awarding body's behalf. In most cases this will be the SQA. If a customer is dissatisfied with the result of an exam, the school should refer it to the awarding body.

Remember that although there may be an alternative form of redress for the customer as detailed above, you must consider carefully whether or not a customer's representations should be managed within the complaints handling procedure. Dissatisfaction with certain local authority decisions may simply require an explanation and directing to the correct route for resolution. If, however, a customer says they are dissatisfied with the administrative process we have followed in reaching a decision, you may consider that dissatisfaction through the complaints handling procedure. An example may be a complaint from a customer who is dissatisfied with a decision and alleges that we failed to follow or apply the appropriate guidance in reaching that decision.

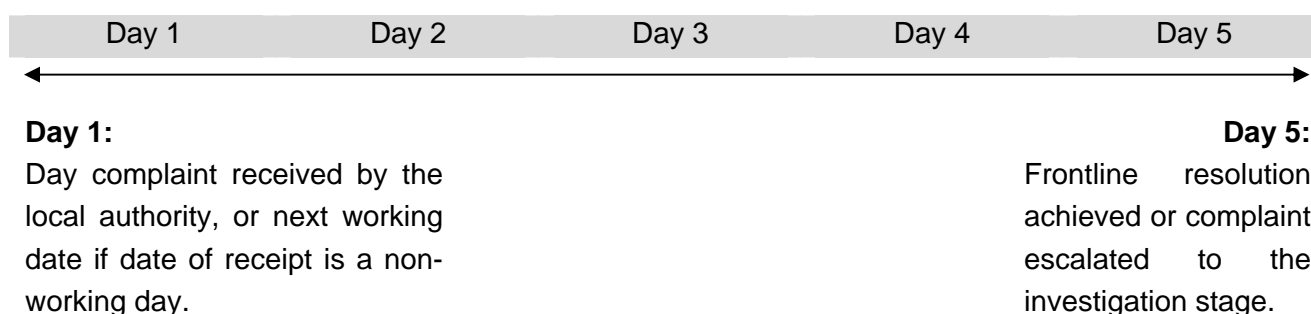
Appendix 3 - Timelines

General

References to timelines throughout the complaints handling procedure relate to working days. When measuring performance against the required timelines, we do not count non-working days, for example weekends, public holidays and days of industrial action where our service has been interrupted.

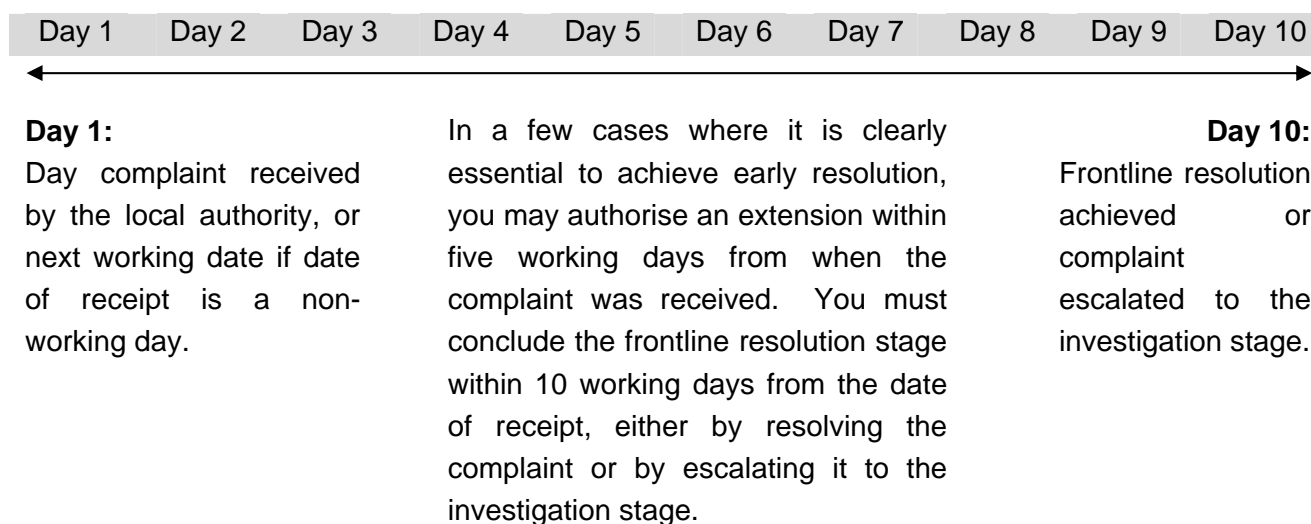
Timelines at frontline resolution

You must aim to achieve frontline resolution within five working days. The day you receive the complaint is day 1. Where you receive it on a non-working day, for example at the weekend or on a public holiday, day 1 will be the next working day.



Extension to the five-day timeline

If you have extended the timeline at the frontline resolution stage in line with the procedure, the revised timetable for the response must take no longer than 10 working days from the date of receiving the complaint.



Transferring cases from frontline resolution to investigation

If it is clear that frontline resolution has not resolved the matter, and the customer wants to escalate the complaint to the investigation stage, the case must be passed for investigation without delay. In practice this will mean on the same day that the customer is told this will happen.

Timelines at investigation

You may consider a complaint at the investigation stage either:

- after attempted frontline resolution, or
- immediately on receipt if you believe the matter to be sufficiently complex, serious or appropriate to merit a full investigation from the outset.

Acknowledgement

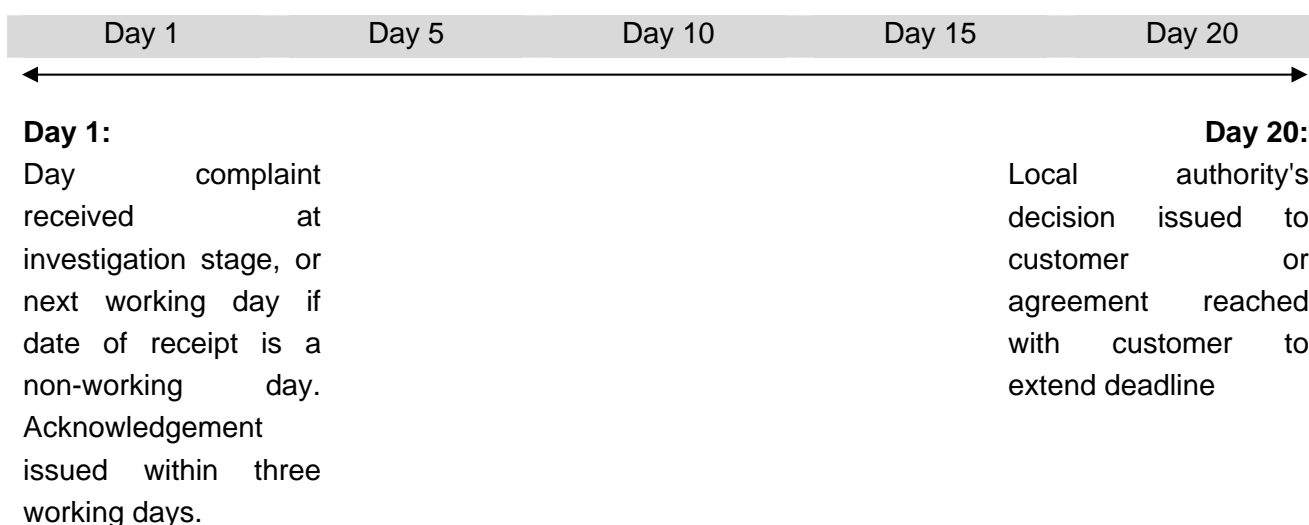
All complaints considered at the investigation stage must be acknowledged within **three working days** of receipt. The date of receipt is:

- the day the case is transferred from the frontline stage to the investigation stage, where it is clear that the case requires investigation, or
- the day the customer asks for an investigation after a decision at the frontline resolution stage. You should note that a customer may not ask for an investigation immediately after attempts at frontline resolution, or
- the date you receive the complaint, if you think it sufficiently complex, serious or appropriate to merit a full investigation from the outset.

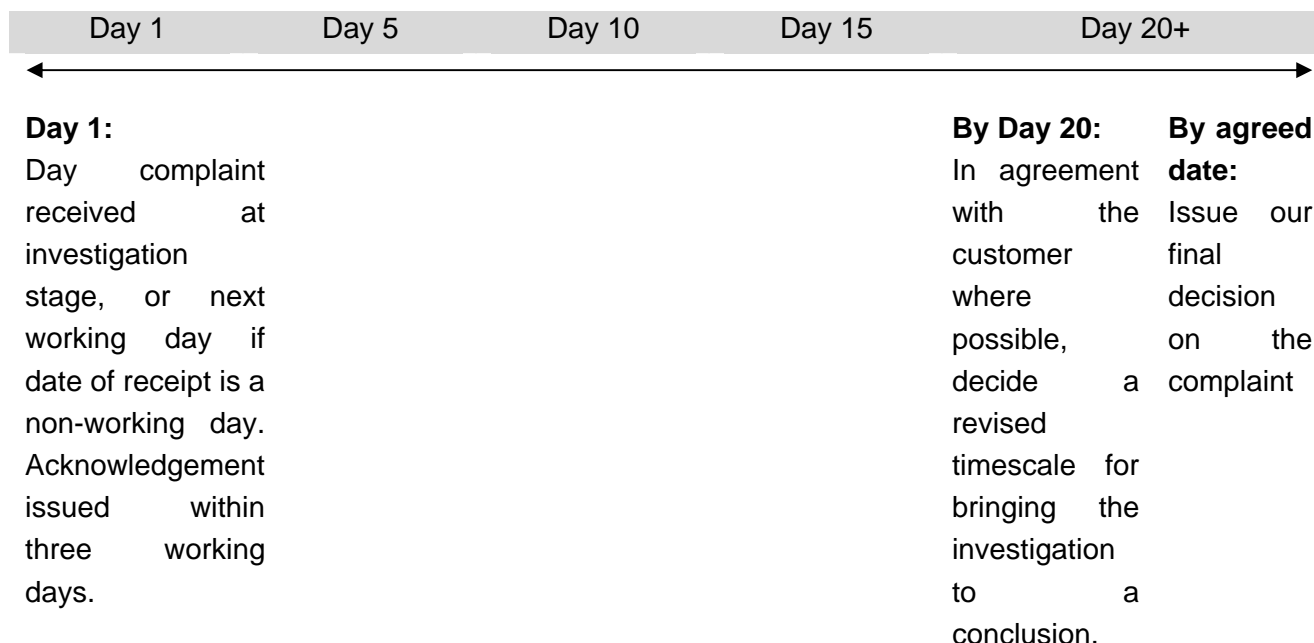
Investigation

You should respond in full to the complaint within **20 working days** of receiving it at the investigation stage.

The 20-working day limit allows time for a thorough, proportionate and consistent investigation to arrive at a decision that is objective, evidence-based and fair. This means you have 20 working days to investigate the complaint, regardless of any time taken to consider it at the frontline resolution stage.

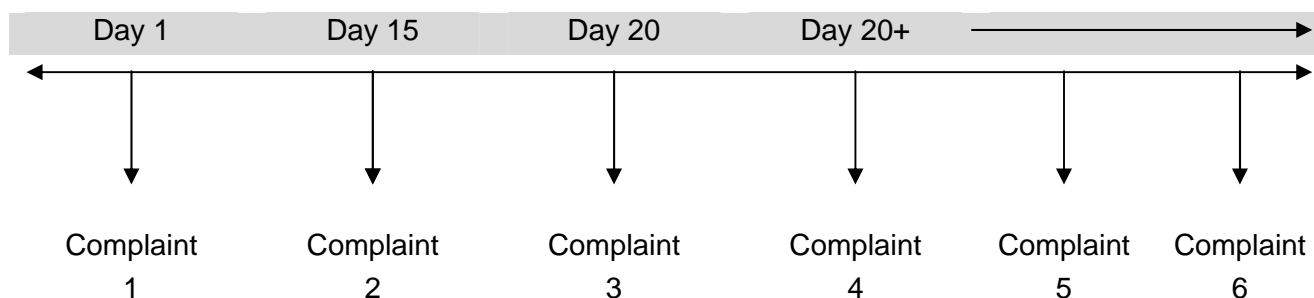


Exceptionally you may need longer than the 20-day limit for a full response. If so, you must explain the reasons to the customer, and agree with them a revised timescale.



Timeline examples

The following illustration provides examples of the point at which we conclude our consideration of a complaint. It is intended to show the different stages and times at which a complaint may be resolved.



The circumstances of each complaint are explained below:

Complaint 1

Complaint 1 is a straightforward issue that may be resolved by an on-the-spot explanation and, where appropriate, an apology. Such a complaint can be resolved on day 1.

Complaint 2

Complaint 2 is also a straightforward matter requiring little or no investigation. In this example, resolution is reached at day three of the frontline resolution stage.

Complaint 3

Complaint 3 refers to a complaint that we considered appropriate for frontline resolution. We did not resolve it in the required timeline of five working days. However, we authorised an extension on a clear and demonstrable expectation that the complaint would be satisfactorily resolved within a further five days. We resolved the complaint at the frontline resolution stage in a total of eight days.

Complaint 4

Complaint 4 was suitably complex or serious enough to pass to the investigation stage from the outset. We did not try frontline resolution; rather we investigated the case immediately. We issued a final decision to the customer within the 20-day limit.

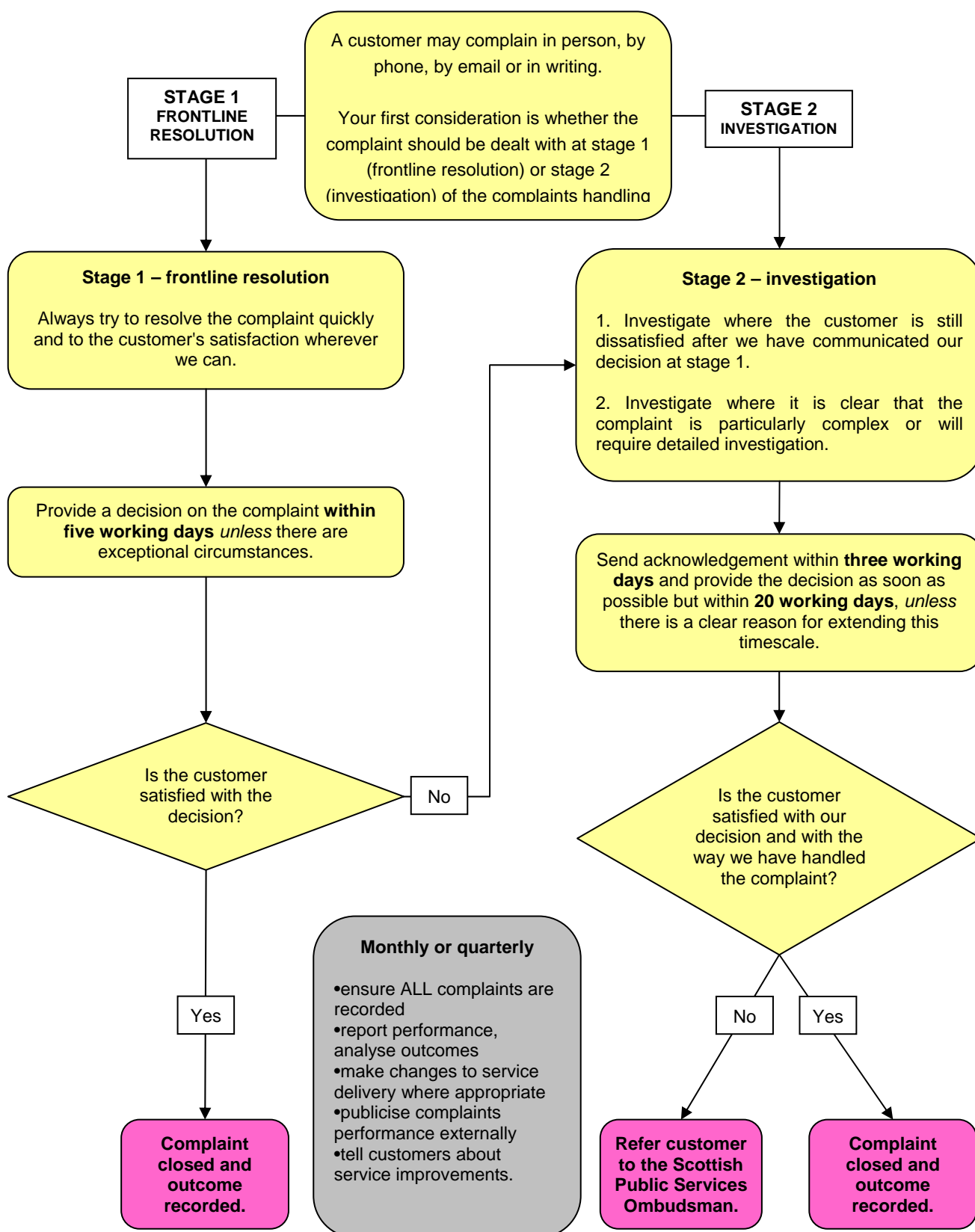
Complaint 5

We considered complaint 5 at the frontline resolution stage, where an extension of five days was authorised. At the end of the frontline stage the customer was still dissatisfied. At their request, we conducted an investigation and issued our final response within 20 working days. Although the end-to-end timeline was 30 working days we still met the combined time targets for frontline resolution and investigation.

Complaint 6

Complaint 6 was considered at both the frontline resolution stage and the investigation stage. We did not complete the investigation within the 20-day limit , so we agreed a revised timescale with the customer for concluding the investigation beyond the 20-day limit.

Appendix 4 - The complaints handling procedure Appendix 4



North Ayrshire Council complaints procedure

North Ayrshire is committed to providing high-quality customer services.

We value complaints and use information from them to help us improve our services.

If something goes wrong or you are dissatisfied with our services, please tell us. This leaflet describes our complaints procedure and how to make a complaint. It also tells you about our service standards and what you can expect from us.

What is a complaint?

We regard a complaint as any expression of dissatisfaction about our action or lack of action, or about the standard of service provided by us or on our behalf.

What can I complain about?

You can complain about things like:

- delays in responding to your enquiries and requests
- failure to provide a service
- our standard of service
- council policy
- treatment by or attitude of a member of staff
- our failure to follow proper procedure.

Your complaint may involve more than one council service or be about someone working on our behalf.

What can't I complain about?

There are some things we can't deal with through our complaints handling procedure. These include:

- a routine first-time request for a service, for example a first-time request for a housing repair or action on anti social behaviour
- requests for compensation from the council
- things that are covered by a right of appeal. Here are some examples:
 - If you are dissatisfied with the level of priority you have been given when applying for a house, you have the right to appeal against the decision.
 - If your planning application is refused, you have a right of appeal to Scottish Ministers within six months of the decision.
 - If you believe your house is incorrectly valued for council tax, you can appeal to the Assessor.

If other procedures or rights of appeal can help you resolve your concerns, we will give information and advice to help you.

Who can complain?

Anyone can make a complaint to us, including the representative of someone who is dissatisfied with our service. Please also read the section on 'Getting help to make your complaint'.

How do I complain?

You can complain in person at any of our public facing offices, by phone, in writing, email via our complaints form ([link to online form](#))

It is easier for us to resolve complaints if you make them quickly and directly to the service concerned. So please talk to a member of our staff at the service you are complaining about. Then they can try to resolve any problems on the spot.

When complaining, tell us:

- your full name and address
- as much as you can about the complaint
- what has gone wrong
- how you want us to resolve the matter.

How long do I have to make a complaint?

Normally, you must make your complaint within six months of:

- the event you want to complain about, or
- finding out that you have a reason to complain, but no longer than 12 months after the event itself.

In exceptional circumstances, we may be able to accept a complaint after the time limit. If you feel that the time limit should not apply to your complaint, please tell us why by contacting:

Customer Services Manager
Contact Centre
Galt House
Irvine

Telephone: xxxx

What happens when I have complained?

We will always tell you who is dealing with your complaint.

Our complaints procedure has two stages:

Stage one – frontline resolution

We aim to resolve complaints quickly and close to where we provided the service. This could mean an on-the-spot apology and explanation if something has clearly gone wrong, and immediate action to resolve the problem.

We will give you our decision at Stage 1 in five working days or less, unless there are exceptional circumstances.

If we can't resolve your complaint at this stage, we will explain why and tell you what you can do next. We might suggest that you take your complaint to Stage 2. You may choose to do this immediately or sometime after you get our initial decision.

Stage two – investigation

Stage 2 deals with two types of complaint: those that have not been resolved at Stage 1 and those that are complex and require detailed investigation.

When using Stage 2 we will:

- acknowledge receipt of your complaint within three working days
- discuss your complaint with you to understand why you remain dissatisfied and what outcome you are looking for
- give you a full response to the complaint as soon as possible and within 20 working days.

If our investigation will take longer than 20 working days, we will tell you. We will agree revised time limits with you and keep you updated on progress.

What if I'm still dissatisfied?

After we have fully investigated, if you are still dissatisfied with our decision or the way we dealt with your complaint, you can ask the Scottish Public Services Ombudsman (SPSO) to look at it.

The SPSO **cannot** normally look at:

- a complaint that has not completed our complaints procedure (so please make sure it has done so before contacting the SPSO)
- events that happened, or that you became aware of, more than a year ago
- a matter that has been or is being considered in court.

You can contact the SPSO:

In Person:

SPSO

4 Melville Street

Edinburgh

EH3 7NS

By Post

SPSO

Freepost EH641

Edinburgh

EH3 0BR

Freephone: 0800 377 7330

Online contact www.spsso.org.uk/contact-us

Website: www.spsso.org.uk

Mobile site: <http://m.spsso.org.uk>

Care complaints

If your complaint relates to a care service we provide, you can choose whether to complain to us or the Care Inspectorate. You can find out more about their complaints procedure, or make a complaint, by contacting them.

The Care Inspectorate has several offices around Scotland. Please refer to:
<http://www.scswis.com/>

Or

Telephone 0845 600 9527

Fax 01382 207 289

Online [complaints form](#)

Email enquiries@careinspectorate.com

Getting help to make your complaint

We understand that you may be unable, or reluctant, to make a complaint yourself. We accept complaints from the representative of a person who is dissatisfied with our service. We can take complaints from a friend, relative, or an advocate, if you have given them your consent to complain for you.

You can find out about advocates in your area by contacting the Scottish Independent Advocacy Alliance.

Scottish Independent Advocacy Alliance

Tel: 0131 260 5380 Fax: 0131 260 5381 Website: www.siaa.org.uk

We are committed to making our service easy to use for all members of the community. In line with our statutory equalities duties, we will always ensure that reasonable adjustments are made to help customers access and use our services. If you have trouble putting your complaint in writing please, or want this information in another language or format, such as large font, or Braille, tell us in person, contact us on [x], email us at [x] or text us at [x].

Our contact details

Please contact us by the following means:

[Council to identify appropriate means of contact]

We can also give you this leaflet in other languages and formats (such as large print, audio and Braille).

Quick guide to our complaints procedure



| Task Name | Status | Finish | Resource Names |
|--|-------------|------------|--|
| Corporate Complaints | | | |
| Initiation | | | |
| Workshops | | | |
| EARS Workshop | Completed | 04/06/2012 | Esther Gunn-Stewart |
| Finance Workshop | Completed | 19/06/2012 | Esther Gunn-Stewart |
| Building Services Workshop | Completed | 20/06/2012 | Esther Gunn-Stewart |
| Roads Workshop | Completed | 22/06/2012 | Esther Gunn-Stewart |
| Education Workshop | Completed | 26/06/2012 | Esther Gunn-Stewart |
| Housing Workshop | Future Task | 11/07/2012 | Esther Gunn-Stewart |
| HR workshop | Future Task | 31/07/2012 | Esther Gunn-Stewart |
| Corporate workshop (TBC) | Future Task | 16/07/2012 | Esther Gunn-Stewart |
| IDS Workshop (TBC) | Future Task | 16/07/2012 | Esther Gunn-Stewart |
| Procedures | | | |
| Develop Project Brief | Completed | 22/06/2012 | Margaret Gordon |
| Create Risk, Issues and Lessons Learned Logs | Completed | 26/06/2012 | Margaret Gordon |
| NAC procedure document services sign off | Future Task | 23/07/2012 | Services |
| NAC procedures document CMT sign off | Future Task | 31/08/2012 | Esther Gunn-Stewart |
| Send procedure to SPSO | Future Task | 03/09/2012 | Esther Gunn-Stewart |
| Development/Configuration | | | |
| eForm Development | In Progress | 27/07/2012 | Susan Crancher[85%] |
| Lagan Configuration | In Progress | 13/07/2012 | Tony Watson[50%] |
| Report it Online | Future Task | 30/08/2012 | Susan Crancher[50%] |
| Phase 1 (EARS) | | | |
| Distribute EARS Project Brief | Completed | 21/06/2012 | Margaret Gordon |
| Return EARS Project Brief | Future Task | 17/07/2012 | Services |
| Development/Configuration (EARS) | Future Task | 07/08/2012 | |
| Configure EARS additional requirements | Future Task | 24/07/2012 | Tony Watson[50%] |
| EARS Reporting | Future Task | 07/08/2012 | Allison McGookin[40%], Tony Watson[50%] |
| Demo EARS (TBC) | Future Task | 08/08/2012 | Susan Crancher[50%], Tony Watson[50%] |
| Copy test to train (EARS) | Future Task | 09/08/2012 | Susan Crancher[50%] |
| Training (EARS) | | | |
| Create EARS Training Material | Future Task | 20/07/2012 | Linda DeVoy, Employee Development, Team Leader |
| Lagan Training (New Users EARS) TBC | Future Task | 25/07/2012 | Linda DeVoy |
| CHP Pilot Training EARS (7th) | Future Task | 07/08/2012 | Linda DeVoy, Employee Development, Team Leader |
| CHP Training EARS (14,15,16,17th) | Future Task | 17/08/2012 | Linda DeVoy, Employee Development, Team Leader |
| UAT (EARS) | Future Task | 22/08/2012 | Services |
| Resolve any issues from training/UAT (EARS) | Future Task | 21/08/2012 | Susan Crancher[25%], Tony Watson[50%] |
| CHP Training EARS (30th) | Future Task | 30/08/2012 | Linda DeVoy, Employee Development, Team Leader |
| Customer Service Training | | | |
| CHP Training Customer Services (Pilot) | Future Task | 07/08/2012 | Linda DeVoy, Employee Development, Team Leader |
| CHP Training Customer Services (TBC) | Future Task | 24/08/2012 | Linda DeVoy, Employee Development, Team Leader |
| Resolve any issues from CS Training | Future Task | 28/08/2012 | Susan Crancher[50%], Tony Watson[50%] |
| | | | |

| | | | |
|---|-------------|------------|--|
| Phase 1 Go Live (EARS) | | | |
| Sign Off (EARS) | Future Task | 30/08/2012 | Services |
| Copy to Live EARS | Future Task | 31/08/2012 | Susan Crancher[50%] |
| Go Live EARS | Future Task | 03/09/2012 | |
| Go Live Report It Online | Future Task | 03/09/2012 | Susan Crancher[50%] |
| Phase 2 (Finance, Roads and Buidling Services) | | | |
| Distribute (FIN, Roads and BS) Project Briefs | Completed | 21/06/2012 | Margaret Gordon |
| Return (FIN, Roads and BS) Project Brief | Future Task | 17/07/2012 | Services |
| Development/Configuration (FIN, Roads and BS) | Future Task | 14/08/2012 | |
| Configure (FIN, Roads and BS) additional requirements | Future Task | 24/07/2012 | Tony Watson[50%] |
| (FIN, Roads and BS) Reporting | Future Task | 14/08/2012 | Allison McGookin[40%], Tony Watson[50%] |
| Demo to (Finance, Roads and Buidling Services) | Future Task | 17/08/2012 | |
| Demo to Finance (TBC) | Future Task | 15/08/2012 | Susan Crancher[50%], Tony Watson[50%] |
| Demo to Roads (TBC) | Future Task | 16/08/2012 | Susan Crancher[50%], Tony Watson[50%] |
| Demo to Building Services (TBC) | Future Task | 17/08/2012 | Susan Crancher[50%], Tony Watson[50%] |
| Copy test to train (Finance, Roads and Buidling Services) | Future Task | 09/08/2012 | Susan Crancher[25%] |
| Training/UAT (Finance, Roads and Buidling Services) | Future Task | 19/09/2012 | |
| Adapt (FIN, Roads and BS) Training Material | Future Task | 27/07/2012 | Linda DeVoy |
| Lagan Training (FIN, Roads and BS new users) | Future Task | 31/08/2012 | Linda DeVoy |
| CHP Training (FIN, Roads and BS) - TBC | Future Task | 14/09/2012 | Linda DeVoy, Team Leader, Employee Development (Support) |
| UAT (FIN, Roads and BS) | Future Task | 19/09/2012 | Services |
| Resolve any (FIN, Roads and BS) training issues | Future Task | 19/09/2012 | Susan Crancher[25%], Tony Watson[50%] |
| Phase 2 Go Live (FIN, Roads and BS) | | | |
| Sign Off (FIN, Roads and BS) | Future Task | 20/09/2012 | |
| Copy to Live (FIN, Roads and BS) | Future Task | 21/09/2012 | Susan Crancher[50%] |
| Go Live (FIN, Roads and BS) | Future Task | 25/09/2012 | |
| Phase 3 (Schools Pilot) | | | |
| Distribute (Schools Pilot) Project Briefs | Completed | 02/07/2012 | Margaret Gordon |
| Return (Schools Pilot) Project Brief | Future Task | 10/09/2012 | Services |
| Development/Configuration (Schools Pilot) | Future Task | 24/09/2012 | |
| Configure (Schools Pilot) additional requirements | Future Task | 17/09/2012 | Tony Watson[50%] |
| (Schools Pilot) Reporting | Future Task | 24/09/2012 | Allison McGookin[40%], Tony Watson[50%] |
| Demo to (Schools Pilot) TBC | Future Task | 25/09/2012 | Susan Crancher[50%], Tony Watson[50%] |
| Copy test to train (Schools Pilot) | Future Task | 26/09/2012 | Susan Crancher[85%] |
| Training/UAT (Schools Pilot) | Future Task | 10/10/2012 | |
| Adapt (Schools Pilot) Training Material | Future Task | 17/09/2012 | Linda DeVoy |
| Lagan Training (New Users Schools) TBC | Future Task | 19/09/2012 | Linda DeVoy |
| CHP Training (Schools Pilot) - TBC | Future Task | 03/10/2012 | Linda DeVoy, Team Leader, Employee Development (Support) |
| UAT (Schools Pilot) | Future Task | 08/10/2012 | Services |
| Resolve any (Schools Pilot) training/UAT issues | Future Task | 10/10/2012 | Susan Crancher[50%], Tony Watson[50%] |
| Phase 3 Go Live (Schools Pilot) | | | |
| Sing Off (Schools Pilot) | Future Task | 11/10/2012 | Services |
| Copy to Live (Schools Pilot) | Future Task | 12/10/2012 | Susan Crancher[85%] |
| Go Live (Schools Pilot) | Future Task | 15/10/2012 | |

| | | | |
|---|-------------|------------|--|
| Phase 4 (Housing) | | | |
| Distribute (Housing) Project Briefs | Completed | 02/07/2012 | Margaret Gordon |
| Return (Housing) Project Brief | Future Task | 28/09/2012 | Services |
| Development/Configuration (Housing) | | | |
| Configure (Housing) additional requirements | Future Task | 05/11/2012 | Tony Watson[50%] |
| (Housing) Reporting | Future Task | 12/11/2012 | Allison McGookin[40%], Tony Watson[50%] |
| Demo to (Housing) TBC | Future Task | 13/11/2012 | Susan Crancher[50%], Tony Watson[50%] |
| Copy test to train (Housing) | Future Task | 14/11/2012 | Susan Crancher[85%] |
| Training/UAT (Housing) | | | |
| Adapt (Housing) Training Material | Future Task | 05/10/2012 | Linda DeVoy |
| Lagan Training (Housing New Users) TBC | Future Task | 26/10/2012 | Linda DeVoy |
| CHP Training (Housing) - TBC | Future Task | 23/11/2012 | Linda DeVoy, Team Leader, Employee Development (Support) |
| UAT (Housing) | Future Task | 27/11/2012 | Services |
| Resolve any (Housing) training/UAT issues | Future Task | 28/11/2012 | Susan Crancher[50%], Tony Watson[50%] |
| Phase 4 Go Live (Housing) | | | |
| Sign Off (Housing) | Future Task | 29/11/2012 | Services |
| Copy to Live (Housing) | Future Task | 30/11/2012 | Susan Crancher[85%] |
| Go Live (Housing) | Future Task | 03/12/2012 | |
| Phase 5 (Corporate) | | | |
| Distribute (Corporate) Project Briefs | Future Task | 13/07/2012 | Margaret Gordon |
| Return (Corporate) Project Brief | Future Task | 28/09/2012 | Services |
| Development/Configuration (Corporate) | | | |
| Configure (Corporate) additional requirements | Future Task | 13/12/2012 | Tony Watson[50%] |
| (Corporate) Reporting | Future Task | 20/12/2012 | Allison McGookin[40%], Tony Watson[50%] |
| Demo to (Corporate) TBC | Future Task | 21/12/2012 | Susan Crancher[50%], Tony Watson[50%] |
| Copy test to train (Corporate) | Future Task | 04/01/2013 | Susan Crancher[85%] |
| Training/UAT (Corporate) | | | |
| Adapt (Corporate) Training Material | Future Task | 18/12/2012 | Linda DeVoy |
| Lagan Training (Corporate New Users) TBC | Future Task | 21/12/2012 | Linda DeVoy |
| CHP Training (Corporate) - TBC | Future Task | 11/01/2013 | Linda DeVoy, Team Leader, Employee Development (Support) |
| UAT (Corporate) | Future Task | 16/01/2013 | Services |
| Resolve any (Corporate) training/UAT issues | Future Task | 16/01/2013 | Susan Crancher[50%], Tony Watson[50%] |
| Phase 5 Go Live (Corporate) | | | |
| Sign Off (Corporate) | Future Task | 17/01/2013 | Services |
| Copy to Live (Corporate) | Future Task | 18/01/2013 | Susan Crancher[85%] |
| Go Live (Corporate) | Future Task | 21/01/2013 | |
| Phase 6 (HR) | | | |
| Distribute (HR) Project Briefs | Completed | 02/07/2012 | Margaret Gordon |
| Return (HR) Project Brief | Future Task | 28/09/2012 | Services |
| Development/Configuration (HR) | | | |
| Configure (HR) additional requirements | Future Task | 11/01/2013 | Tony Watson[50%] |
| (HR) Reporting | Future Task | 18/01/2013 | Allison McGookin[40%], Tony Watson[50%] |
| Demo to (HR) TBC | Future Task | 21/01/2013 | Susan Crancher[50%], Tony Watson[50%] |
| Copy test to train (HR) | Future Task | 22/01/2013 | Susan Crancher[85%] |
| Training/UAT (HR) | | | |

| | | | |
|---|-------------|------------|--|
| Adapt (HR) Training Material | Future Task | 18/01/2013 | Linda DeVoy |
| Lagan Training (HR New Users) TBC | Future Task | 23/01/2012 | Linda DeVoy |
| CHP Training (HR) - TBC | Future Task | 29/01/2013 | Linda DeVoy, Team Leader, Employee Development (Support) |
| UAT (HR) | Future Task | 01/02/2013 | Services |
| Resolve any (HR) training/UAT issues | Future Task | 04/02/2013 | Susan Crancher[50%], Tony Watson[50%] |
| Phase 6 Go Live (HR) | | | |
| Sign Off (HR) | Future Task | 05/02/2013 | Services |
| Copy to Live (HR) | Future Task | 08/02/2013 | Susan Crancher[85%] |
| Go Live (HR) | Future Task | 11/02/2013 | |
| Phase 7 (Education) | | | |
| Distribute (Education) Project Briefs | Completed | 02/07/2012 | Margaret Gordon |
| Return (Education) Project Brief | Future Task | 28/09/2012 | Services |
| Development/Configuration (Education) | | | |
| Configure (Education) additional requirements | Future Task | 15/02/2013 | Tony Watson[50%] |
| (Education) Reporting | Future Task | 22/02/2013 | Allison McGookin[40%], Tony Watson[50%] |
| Demo to (Education) TBC | Future Task | 25/02/2013 | Susan Crancher[50%], Tony Watson[50%] |
| Copy test to train (Education) | Future Task | 26/02/2013 | Susan Crancher[85%] |
| Training/UAT (Education) | | | |
| Adapt (Education) Training Material | Future Task | 22/02/2013 | Linda DeVoy |
| Lagan Training (Education New Users) TBC | Future Task | 27/02/2012 | Linda DeVoy |
| CHP Training (Education) - TBC | Future Task | 08/03/2013 | Linda DeVoy, Team Leader, Employee Development (Support) |
| UAT (Education) | Future Task | 13/03/2013 | Services |
| Resolve any (Education) training/UAT issues | Future Task | 13/03/2013 | Susan Crancher[50%], Tony Watson[50%] |
| Phase 7 Go Live (Education) | | | |
| Sign Off (Education) | Future Task | 14/03/2013 | Services |
| Copy to Live (Education) | Future Task | 15/03/2013 | Susan Crancher[85%] |
| Go Live (Education) | Future Task | 18/03/2013 | |
| Reviews | | | |
| phase 1 Review (EARS) | Future Task | 14/11/2012 | |
| Review Lessons Learned, Risk and Issues Log (EARS) | Future Task | 13/11/2012 | |
| Review Meeting (EARS) | Future Task | 14/11/2012 | |
| Phase 2 Review (Finance, Roads and Building Services) | Future Task | 06/12/2012 | |
| Review Lessons Learned, Risk and Issues Log | Future Task | 05/12/2012 | |
| Review Meeting | Future Task | 06/12/2012 | |
| Phase 3 Review (Schools Pilot) | Future Task | 04/01/2013 | |
| Review Lessons Learned, Risk and Issues Log (Schools Pilot) | Future Task | 03/01/2013 | |
| Review Meeting (Schools Pilot) | Future Task | 04/01/2013 | |
| Phase 4 Review (Housing) | Future Task | 22/02/2013 | |
| Review Lessons Learned, Risk and Issues Log (Housing) | Future Task | 21/02/2013 | |
| Review Meeting (Housing) | Future Task | 22/02/2013 | |
| Phase 5 Review (Corporate) | Future Task | 03/04/2013 | |
| Review Lessons Learned, Risk and Issues Log (Corporate) | Future Task | 02/04/2013 | |
| Review Meeting (Corporate) | Future Task | 03/04/2013 | |
| Phase 6 Review (HR) | Future Task | 24/04/2013 | |
| Review Lessons Learned, Risk and Issues Log (HR) | Future Task | 23/04/2013 | |

| | | | |
|---|-------------|------------|--|
| Review Meeting (HR) | Future Task | 24/04/2013 | |
| Phase 7 Review (Education) | Future Task | 29/05/2013 | |
| Review Lessons Learned, Risk and Issues Log (Education) | Future Task | 28/05/2013 | |
| Review Meeting (Education) | Future Task | 29/05/2013 | |

NORTH AYRSHIRE COUNCIL

Agenda Item 16

4 September 2012

Cabinet

Subject: Copeland Crescent, Millport - Appointment of Contractor

Purpose: To seek the Cabinet's approval for (a) the award of a construction contract for the development of 12 new amenity standard Council housing units at Copeland Crescent, Millport and (b) increased funding to meet additional construction costs.

Recommendation: That the Cabinet agrees (a) to approve the award of the construction contract, at a value of £2,012,406 to Morris and Spottiswood Ltd, for the construction of 12 units of new amenity houses at Copeland Crescent, Millport and (b) that the budget allocated for the Copeland project should be supplemented by income from the Council House Building Fund in order that the higher than anticipated construction costs can be met.

1. Introduction

- 1.1 The draft North Ayrshire Older People's Housing Strategy recognises that, by 2035, the number of people aged 65-74 years in North Ayrshire is expected to increase by 27%, while the numbers aged 75 years+ are projected to rise by 84%. The strategy notes the implications this has for North Ayrshire and the significance for the housing system in ensuring that suitable housing options are available for the rapid future rise of older people, particularly those with mobility problems or other long term conditions.
- 1.2 On Cumbrae, the problem is magnified, not only because the island has a higher proportion of older people at present but also because the current stock profile, of mainly flatted properties, does not meet the needs of an ageing population.
- 1.3 On 25 October 2011, Housing Services notified the former Executive of North Ayrshire Council that funding had been awarded by the Scottish Government, for the purpose of developing 12 new amenity standard Council homes on Cumbrae.

1.4 The overall funding of the project was agreed as:

- HRA Balances: £500,000 (£41,666 per unit);
- Scottish Government Grant: £348,000 (£29,000 per unit);
- Affordable Housing contribution (i.e. income generated from the reduction to the discount for second homes Council Tax): £144,000 (12,000 per unit);
- Prudential Borrowing: £642,400 (53,533 per unit).

1.5 It is a condition of Scottish Government funding that the development project concludes before March 2015. Housing Services anticipate that the new properties delivered by the project will be available for allocation by July/August 2013, thus meeting this condition.

1.6 In order to commence addressing the issues of an ageing population, the Copeland Crescent project, which is the first new-build project undertaken by the Council specifically for older people, has been identified as an opportunity to develop an innovative, exemplar of new supply older people's housing in North Ayrshire. The units will seek to achieve a high design standard to ensure long-term 'lettability' and to maximise fuel efficiency thorough a range of measures.

1.7 The project also meets the affordable housing shortfall of between 10-30 units, identified by Craigforth Consultancy and Research, identified in a study of Housing Needs and Demand on the island, carried out on behalf of North Ayrshire Council in 2008.

2. Current Position

2.1 During Spring/Summer 2010, Housing Services, in partnership with the Council's Corporate Procurement Unit, developed a Contractor Framework Agreement. The framework identified nine organisations (selected on a 30%/70% cost/quality criteria for a hypothetical project) who would be invited to tender for future Council house building construction contracts.

2.2 The framework agreement means that mini-competitions can now be undertaken, between the nine framework organisations, for any prospective Council house-building contract. The mini-competitions are based solely on the cost of the works as the quality element has already been assessed during the establishment of the Contractor Framework Agreement. This has resulted in a more streamlined and efficient tendering process.

- 2.3 Having appointed the project Design Team, through adherence to corporate procurement rules, Housing Services have identified a project which meets our aspirations. High quality design and environmental principals have been identified as key elements of this project, which seeks not only to ensure the long term 'lettability' of the new housing, but also to ensure that the homes are sustainable in terms of fuel and running costs, reduce the impact on the environment, and provide solutions to many of the challenges which result from ageing (eg. level access from exterior to interior, wet floor showers, low cost heating solutions).
- 2.4 This 'greener' specification of this housing development is in keeping with the Scottish Government's vision for affordable housing development. From 2012/13, additional subsidy will be made available (£4,000 per unit) to increase the delivery of more sustainable housing. Unfortunately, the Copeland project is being funded under the previous funding model and, therefore, is not eligible for the additional funding.
- 2.5 The Housing Revenue Account balance includes an earmarked fund for Council house building. At 31 March 2012, the Council House Building Fund amounted to £5,397,276. Of this balance, £1,685,573 has already been committed to contribute towards the budgeted cost of the house building projects at Copeland Crescent and Redstone Avenue (i.e. £373,644 and £1,311,928 respectively). This leaves an uncommitted balance of £3,711,703 available within the fund, to contribute towards any additional costs of current and future house building projects.
- 2.6 The budget allocated for the Copeland project was £1,634,400 (allowing for professional fees of £114,400 and construction costs of £1,520,000). This budget was based on historic Council house-building costs plus 30% to allow for a 'rural uplift' as island development is more expensive than developing housing on the mainland. When developing the bid to the Scottish Government, Housing Services also used development costs on the Isle of Arran to help inform the budget setting process.
- 2.7 In June 2012, six organisations submitted tenders to the Council for the Copeland Crescent project. These tenders were opened on 18 June 2012. The three lowest tenders were then evaluated in accordance with Alternative 2 contained in JCT Practice Note 6 (Series 2) "Main Contract Tendering" by the project's Quantity Surveyor (Appendix 1).

- 2.8 All tenders received were significantly higher than the forecast development costs. The increased tenders were due to a number of factors such as site constraints, the standard of the exemplar model we are pursuing, achievement of the Building Regulations Silver Active Award for sustainability, and because the cost of developing on Cumbrae is higher than on Arran (as there are no construction firms located on Cumbrae).
- 2.9 Housing Services, in conjunction with the project design team, undertook a cost saving exercise which reviewed design elements of the project and in turn identified cost savings which have now been considered by the three lowest tendering organisations. Again, the project's Quantity Surveyor assessed the revised costs (see Appendix 1).
- 2.10 Following all revisions, Morris and Spottiswood Ltd has been identified as the organisation who submitted the lowest tender, citing construction contract costs of £2,012,406.
- 2.11 The project Quantity Surveyor has identified the elements of the Copeland Crescent project which have resulted in this higher than anticipated cost. These items, and the rationale for their inclusion, are shown in Appendix 2.
- 2.12 A further project expense results from how the Design Team (Architect, Engineer, Quantity Surveyor, CDM Co-ordinator and Development Agent) was appointed. It is general practice that Design Team fees are based on a percentage of the overall construction cost. Therefore, an increase in the construction cost will mean an increase to the fees charged by the Design Team. Assuming Design Team fees increase by the same percentage as the construction contract, it can be estimated that an anticipated £37,000 will be required to cover this additional cost.
- 2.13 The revised estimated budget required for the Copeland project following receipt of the tenders is therefore in the region of £2,163,806 (allowing for professional fees of approx. £151,400 and construction costs of £2,012,406). This is an overall estimated increase of £529,406.
- 2.14 Housing Services will continue to work with the design team and the contractor throughout the duration of the project, to seek cost saving measures, in order to deliver a value for money product at this site.

3. Proposals

- 3.1 It is proposed that the Cabinet agrees to approve the award of the construction contract, at a value of £2,012,406 to Morris and Spottiswood Ltd, for the construction of 12 new amenity standard council house units at Copeland Crescent, Millport. This will allow progression of the project based on the exemplar model.
- 3.2 It is further proposed that the Cabinet agrees that the budget allocated for the Copeland project should be supplemented by monies from the Council House Building Fund in order that the estimated increased costs of £529,406 can be met.

4. Implications

Financial Implications

- 4.1 In its bid to the Scottish Government the Council budgeted for a total project cost of £1,634,400. This allowed for a budget 'uplift' as rural development is more expensive than on the mainland.
- 4.2 As detailed above the lowest construction tender is £2,012,406. The total estimated cost of the project is now £2,163,806. Housing Services are seeking approval from the Cabinet to meet the budget shortfall of £529,406 from available balances held within the Council House Building Fund.
- 4.3 Furthermore, additional project costs may be incurred as the development commences. For example, remedial works may be necessary in order to secure necessary consents (e.g. upgrade works to roads in order to achieve Roads Construction Consent).

Human Resource Implications

- 4.4 There are no Human Resource implications.

Legal Implications

- 4.5 Housing Services, guided by the Council's Corporate Procurement Unit, has adhered to European Regulations with regard to the establishment of a framework agreement and the subsequent tendering process.

Equality Implications

- 4.6 There will be a positive impact on older people requiring amenity type housing on Millport, through this increased provision.
- 4.7 There will be a further positive impact resulting from the provision of a wheelchair livable unit for one household with such a housing need.

Environmental Implications

- 4.8 The appointed organisation will be bound by the terms and conditions of the contract to minimise the impact on the environment and to maximise sustainability during the construction phase of the project.
- 4.9 The construction phase will also have a minimal impact on local residents by meeting noise control thresholds as well as minimising disruption to local roads (particularly during school drop off/pick up times).

Implications for Key Priorities

- 4.10 The Council House Building programme supports the Single Outcome Agreement between North Ayrshire Council and the Scottish Government. Specifically, the National Outcome "we live in well designed, sustainable places where we are able to access the amenities and services we need" and the North Ayrshire Outcomes 10(a) The quality of social housing has improved and 10(b) Availability of affordable housing has increased.

Community Benefit Implications

- 4.11 A minimum of 52 weeks targeted recruitment per £1,000,000 construction contract value (i.e. one person employed for five days equals one week) will be delivered as a result of this project. This will be targeted at young people seeking apprenticeships.

5. Consultations

- 5.1 Consultation events have been held on the island, with local residents, and housing register applicants aged 50 years and over being invited. Feedback from the consultation events has been fed into the design process.
- 5.2 Consultation has also been carried out between Housing Services, the Design Team, and other Corporate departments including Corporate Services (Planning) and Finance and Infrastructure (Finance, Procurement and Roads).

6. Conclusion

- 6.1 Cabinet approval is sought for the appointment of a Construction Contractor (Morris and Spottiswood Ltd), who has tendered £2,012,406 for construction of the 12 new amenity standard Council houses being developed at Copeland Crescent, Millport.

A handwritten signature in blue ink, appearing to read 'Iona Colvin', is positioned above the printed name.

IONA COLVIN

Corporate Director (Social Services and Health)

Reference :

For further information please contact Olga Clayton, Head of Community Care and Housing on telephone number 01294 324626

Background Papers

Tender documentation



NORTH AYRSHIRE COUNCIL
PROPOSED NEW TWELVE UNIT RESIDENTIAL DEVELOPMENT
AT
COPELAND CRESCENT, MILLPORT

REPORT ON TENDERS

DEVELOPMENT AGENT

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Tel Nr 01294-606008
E-Mail amontgomery@chaltd.org

ARCHITECT/CONTRACT ADMINISTRATOR

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Tel Nr 0141-339-1515
E-Mail gen@andersonbellchristie.com

QUANTITY SURVEYOR

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Tel Nr 01563-522223; Fax Nr 01563-539721
E-Mail: kilmarnock@armour.co.uk

STRUCTURAL ENGINEER

Scott Bennett Associates (Group 2) Ltd
Orion House, 7 The Oval, Nova Technology Park,
Glasgow G33 1AP
Tel Nr 0141-558-3255
E-Mail enquiries@sbg2.com

CDM CO-ORDINATOR

Armour Construction Consultants
11 Clairmont Gardens
Glasgow G3 7LW
Tel Nr 0141-332-4311; Fax Nr 0141-332-5311
E-Mail: glasgow@armour.co.uk

NORTH AYRSHIRE COUNCIL

PROPOSED NEW TWELVE UNIT RESIDENTIAL DEVELOPMENT

AT

COPELAND CRESCENT, MILLPORT

REPORT ON TENDERS

1.0. ISSUE, RETURN AND CHECKING OF TENDERS

- 1.1. Tender Documents were issued to the undernoted Contractors with instructions to return not later than 12 noon on Monday 18th June 2012.
- 1.2. The following Tenders have been received and the three lowest Tenders have been checked in accordance with Alternative 2 contained in JCT Practice Note 6 (Series 2) "Main Contract Tendering".

In addition, a Savings Exercise was undertaken and priced by the three lowest Tenderers. The results are as follows: -

| TENDERER | TENDER AMOUNTS | | | |
|---------------------------------|-----------------------|-------------------------------|----------------------|--------------------------|
| | AS RECEIVED | ARITHMETICALLY CHECKED | RATE ADJUSTED | REDUCED (SAVINGS) |
| 1. Morris & Spottiswood Ltd | £2,218,887.36 | £2,218,726.43 | £2,112,084.55 | £2,012,405.91 |
| 2. D McLaughlin and Sons Ltd | £2,215,758.40 | £2,224,807.13 | £2,180,034.39 | £2,071,462.67 |
| 3. Ashleigh (Scotland) Ltd | £2,231,182.65 | £2,230,710.53 | £2,260,912.09 | £2,149,869.55 |
| 4. CCG (Scotland) Ltd | £2,631,131.19 | - | - | |
| 5. Cruden Building Renewals Ltd | £2,656,859.20 | - | - | |
| 6. McTaggart Construction Ltd | £2,714,770.52 | - | - | |

Note: The above figures exclude VAT

2.0. RECOMMENDATION

- 2.1. We are of the opinion that the lowest tender (incorporating savings), as submitted by Morris & Spottiswood Ltd, although in excess of the budget, represents a competitive offer for the works, and is therefore worthy for consideration for acceptance or to form the basis of a negotiated further reduced tender.

It is recommended that, prior to any acceptance being issued, discussions and agreement should take place with Morris & Spottiswood Ltd with regards the following points: -

- a) The Contract Period
- b) The provider of the Building Guarantee (if required) (see point A1.8. of this Report)
- c) Final confirmation/agreement of the savings to be adopted.
- d) Confirm the specification of the thermostatic shower on which the Tender was priced to ensure that it is equal to the originally specified shower (the shower specified within the Tender document is now discontinued)
- e) Establish the specification of the external render work (no saving offered by Morris and Spottiswood for change in render specification – see point 18 in Appendix C)

65 King Street
KILMARNOCK KA1 1PT

REPORTED

30 July 2012

ARMOUR CONSTRUCTION CONSULTANTS

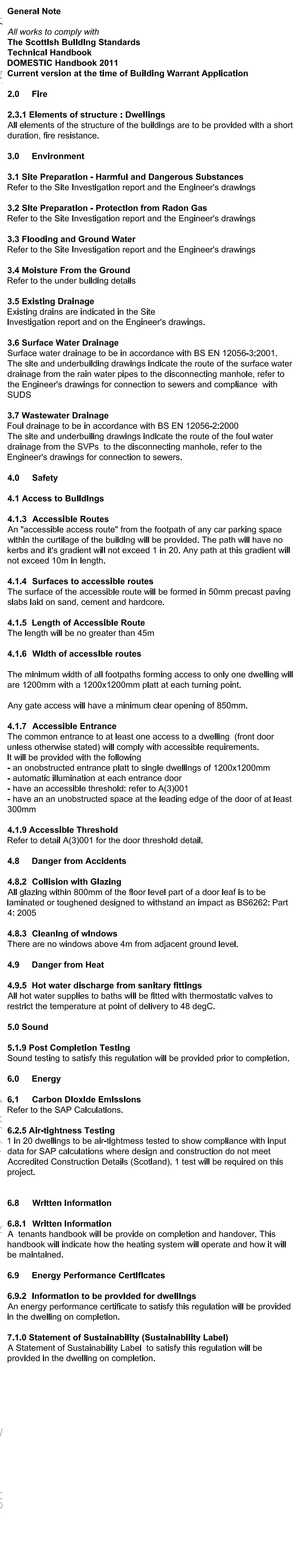
Copeland Crescent, Millport

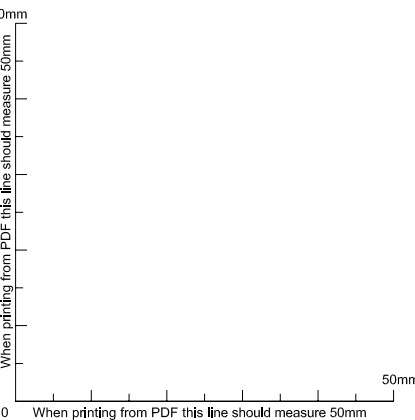
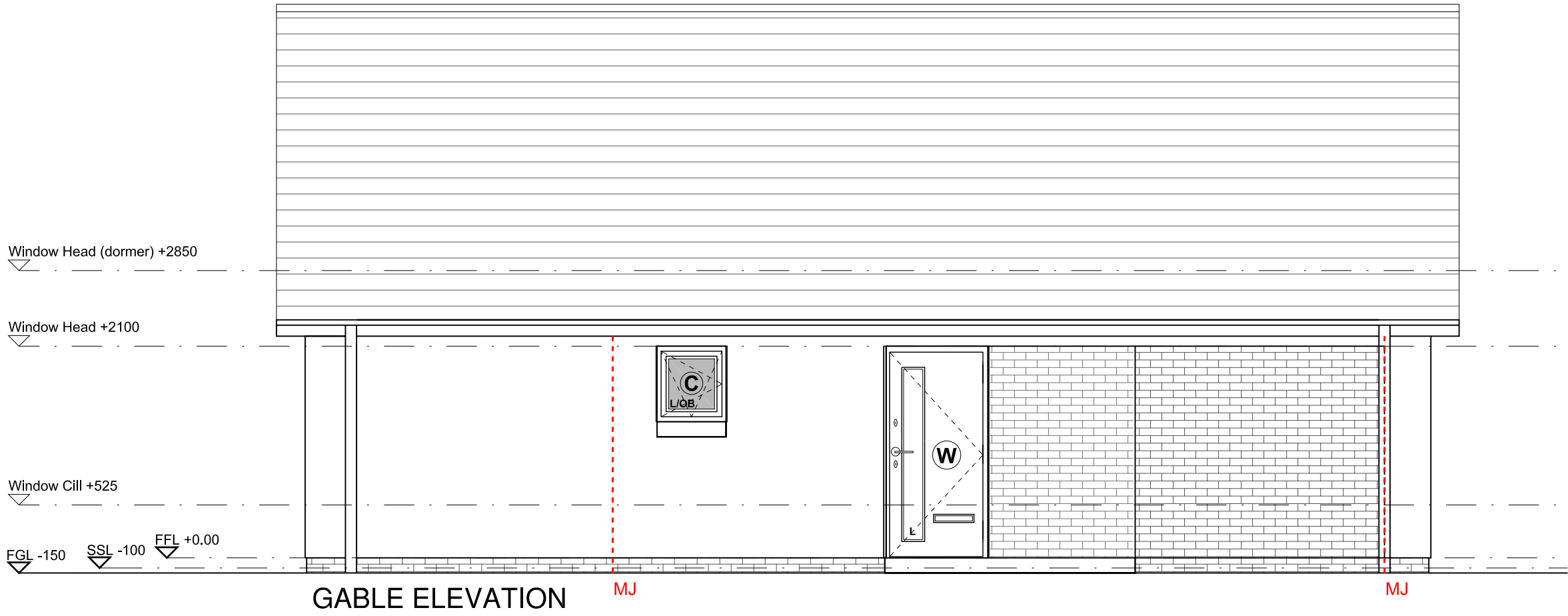
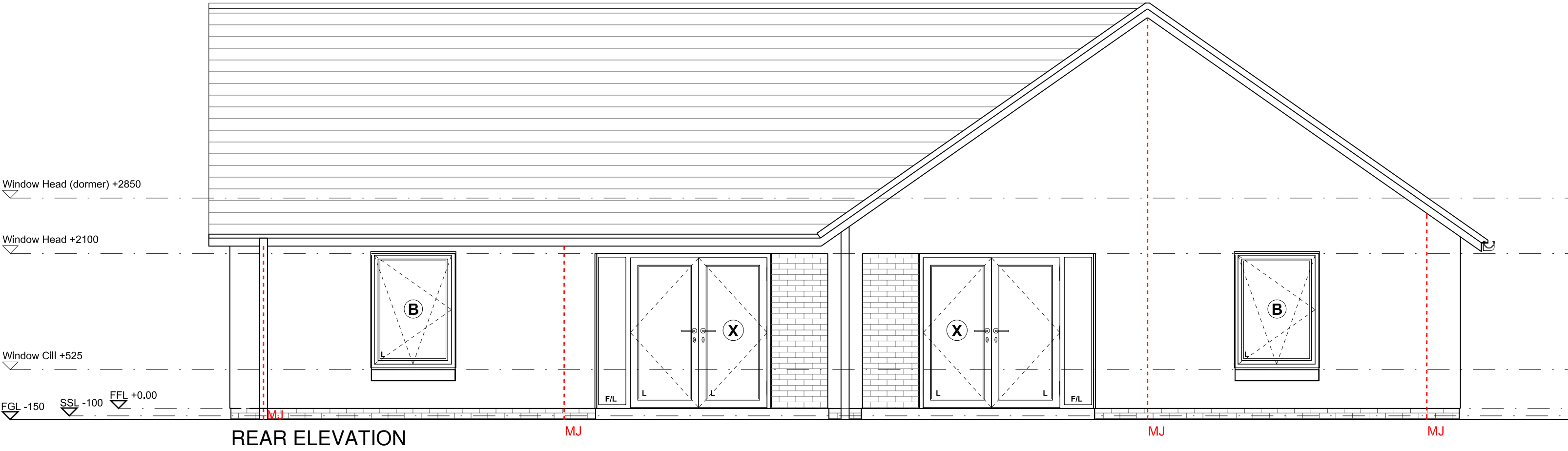
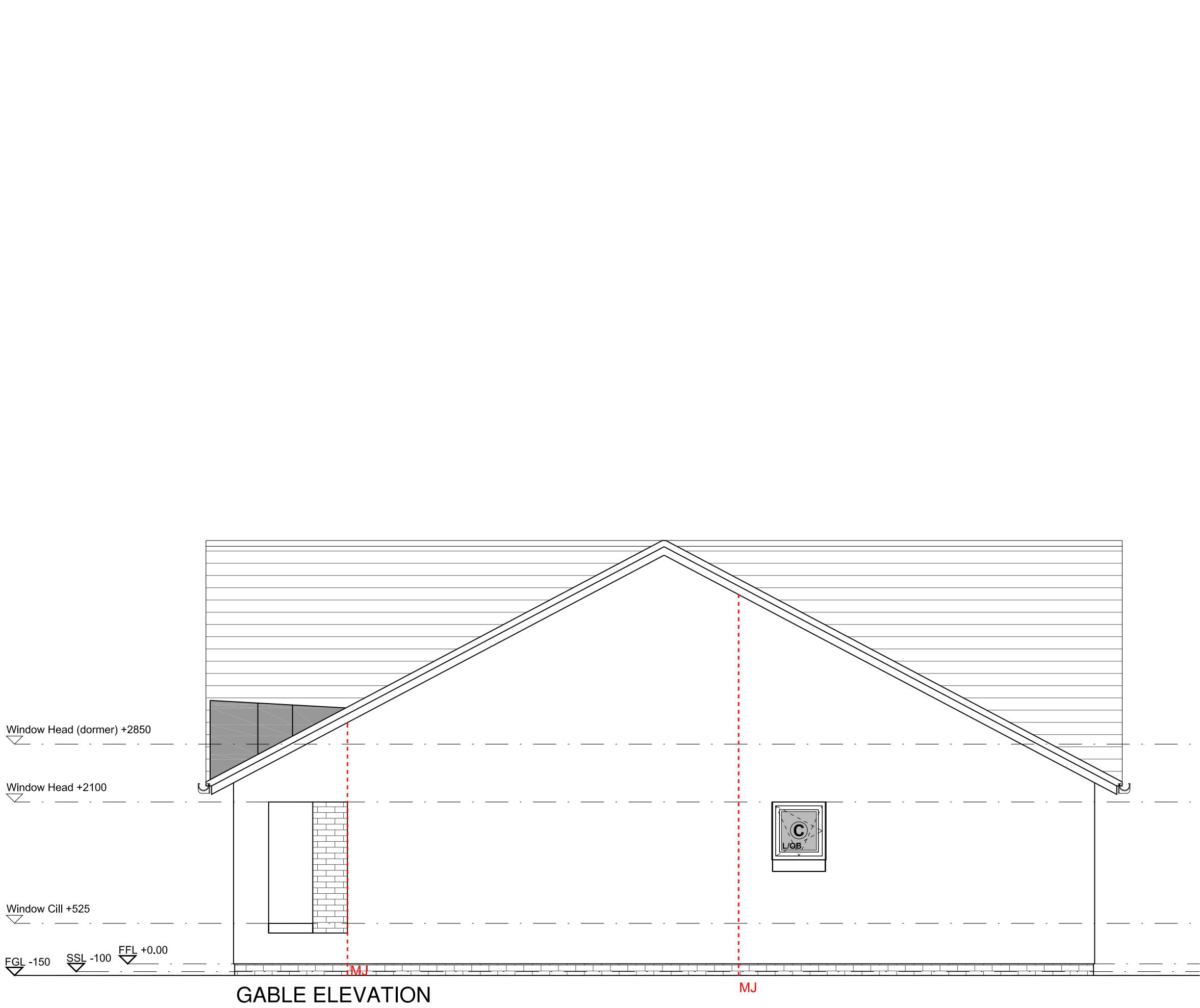
Rationale for the increase in budget (based on lowest tender)

Original Budget: £1,520,000

| Item | Rationale | Cost |
|---|--|---------|
| Island location uplift less than anticipated | The budget allocated a 30% rural uplift, however the lowest tender was still higher than this 'uplift allowance' by £77,406. | £77,406 |
| Additional cost of bungalow development (as opposed to houses) | | |
| Ground conditions (soft spots/peat) | Site constraint – it is necessary to remove peat and soft spots to prevent subsidence. | £22,400 |
| Concrete trenchfill below foundations of units | Site constraint – following removal of soft spots/peat the ground will have to be infilled to ensure structural stability of the buildings. This will be infilled deep below the foundations of the buildings. | £51,230 |
| Off-site drainage works | Site constraint - there is no surface water connection in close proximity of the site therefore connection has to be made to an existing culvert in Kames St over 100 meters away. | £66,180 |
| Land drainage | Site constraint - the site itself is relatively flat and to ensure it can link to existing sewerage systems, the site as a whole must be raised. | £11,220 |
| Retaining wall | Site constraint – because the site has been raised to allow connection to existing sewers, the site is now higher than the neighbouring development – therefore a small section of retaining wall is required. | £15,260 |
| Air source heat pump underfloor heating system in lieu of standard gas fired combi boiler low pressure hot water heating system | <p>Site constraint/Building Regulations - mains gas is not available on the island.</p> <p>To ensure the properties meet Building Regulation requirements neither oil nor electric heating would achieve the requisite rating (in relation to carbon emissions).</p> <p>Therefore, air source heat pumps have been identified as the most suitable (cheapest and most viable) method of meeting the building regulations.</p> <p>A feasibility study was carried out to identify the most cost effective solution.</p> | £98,810 |

| Item | Rationale | Cost |
|--|---|-------------------|
| Triple glazing in lieu of double glazing | <p>Building Regulations/Meeting the needs of an ageing population - required to achieve the <i>Building Regulations Silver Active Award</i> for sustainability.</p> <p>Triple glazing will also contribute to the fuel efficiency of the home, making it less expensive to heat, and reducing the burden of fuel costs on the occupier.</p> | £18,560 |
| Zinc soffits to front and rear entrances to houses in lieu of painted plywood or similar | <p>Reduce future maintenance requirements - zinc soffits require minimal maintenance, and have proven to be more durable than uPVC alternatives.</p> <p>They also provide a more aesthetically pleasing finish.</p> | £7,590 |
| Roof and wall footprint larger due to covered front and rear entrances | Meet the needs of an ageing population - entrance recesses provide tenants with adequate protection from the elements when entering/exiting their homes. | £10,500 |
| Higher allowances for landscaping, entrance features and creation of meeting area complete with street furniture | <p>Meeting the needs of an ageing population / creating a sense of place - creation of a communal meeting place will help to provide a suitable, aesthetically sound, setting for older people. An accessible meeting point will facilitate tenant networking.</p> <p>In addition, site entrance features will help to create a sense of place and a distinct identity for the development.</p> | £11,040 |
| Stage 2 adaptations to wheelchair unit | Meeting the needs of a disabled tenant - the introduction of any wheelchair unit requires adequate adaptations to ensure it is fit for purpose. This amount has been identified to cover any adaptations required. | £20,670 |
| Brick boundary walls to prominent areas of site in lieu of timber vertical slatted fencing | <p>Planning Guidance/Aesthetic Design Feature – This element conforms to <i>Designing Streets</i> guidance (which the Council supports), and helps to create a greater sense of place for both tenants and visitors to the site.</p> <p>This option also enhances the site aesthetically.</p> | £24,870 |
| Higher specification of roof tiling | Aesthetic design feature - a higher quality of finish with natural-looking slate, to mirror a typical feature of rural island locations. | £26,140 |
| Tegula paviors to road and public footpath in lieu of standard Keyblock paviors | Aesthetic Design Feature - provides a higher quality of pavior finish, which ties in closely with the island's natural aesthetics. | £30,530 |
| Total | | £2,012,406 |





| Rev | | Date | Notes |
|-----|----------|------|---|
| A | 03.05.12 | | External Door Type X changed to an outward opening French Door with fixed side screen in lieu of inward opening door & fixed side screen. Width of rendered pier between rear entrance recesses increased to provide sufficient bearing for the lintel above. Extent of facing brick to Type B Gable Elevation increased. |
| B | 08.05.12 | | Movement joints added. Window Type A2 (Living Room Window) on Type B House increased in width by 450mm. |

| Rev | | Date | Description |
|---------------|--|------|-------------|
| RISK REGISTER | | | |
| | | | |

NOTES

DO NOT SCALE
The Contractor must check & verify all Site & Building Dimensions, Levels & Sewer Inverts at DCM's before commencing work.
This Drawing must be read with the NBS Contract Specification and any related Structural Engineer or Specialist Contractors Drawings.
COPYRIGHT:
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TENDER ISSUE

Project
12 Amenity Houses, Copeland Crescent, Millport

Client
North Ayrshire Council

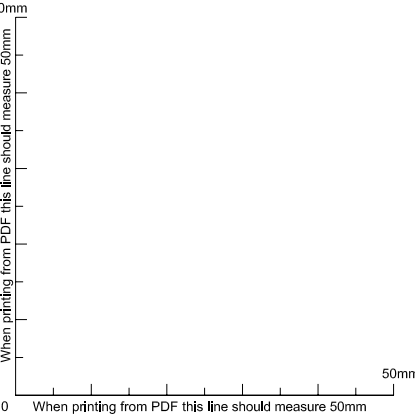
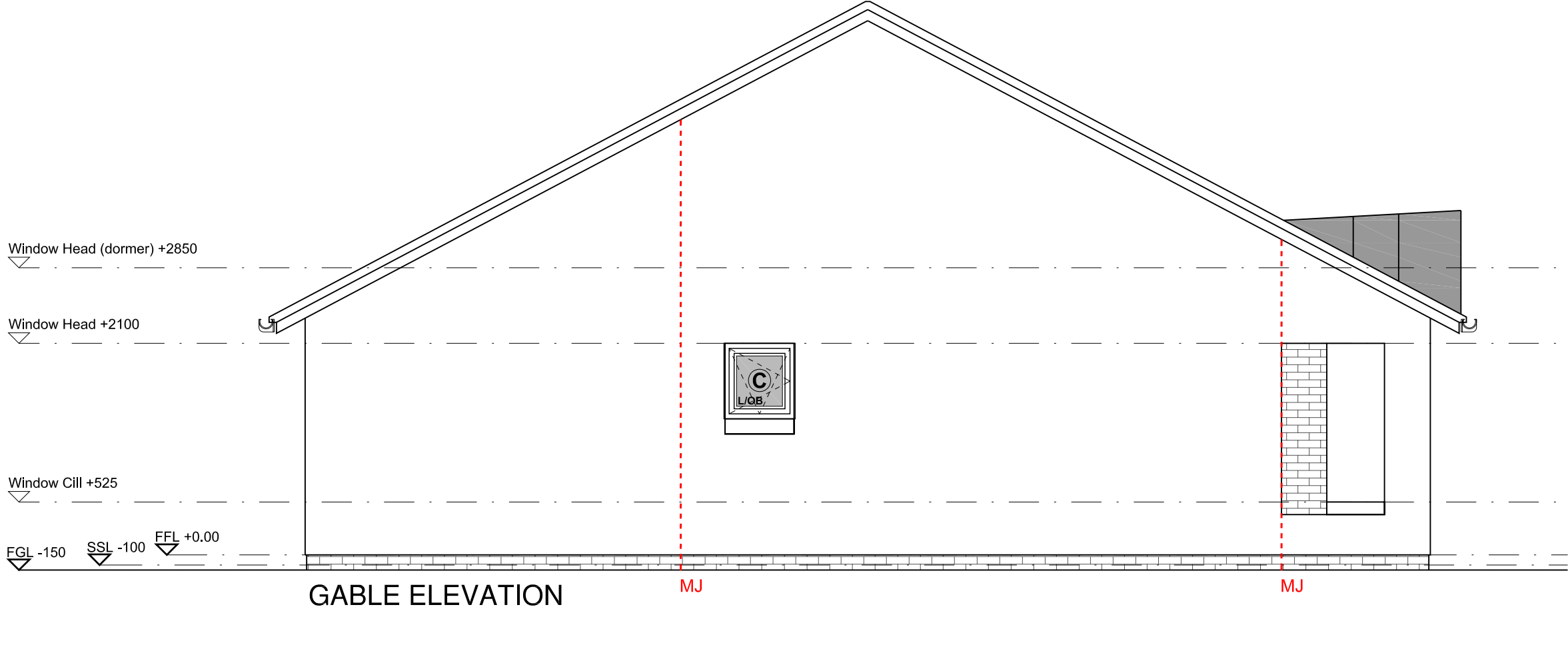
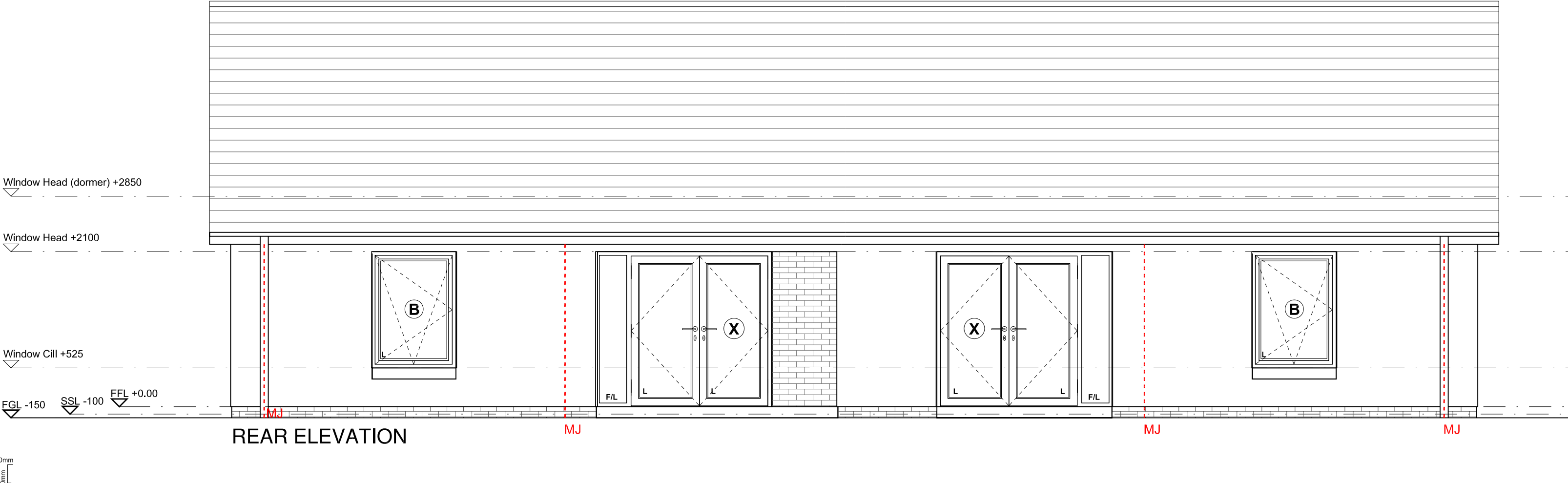
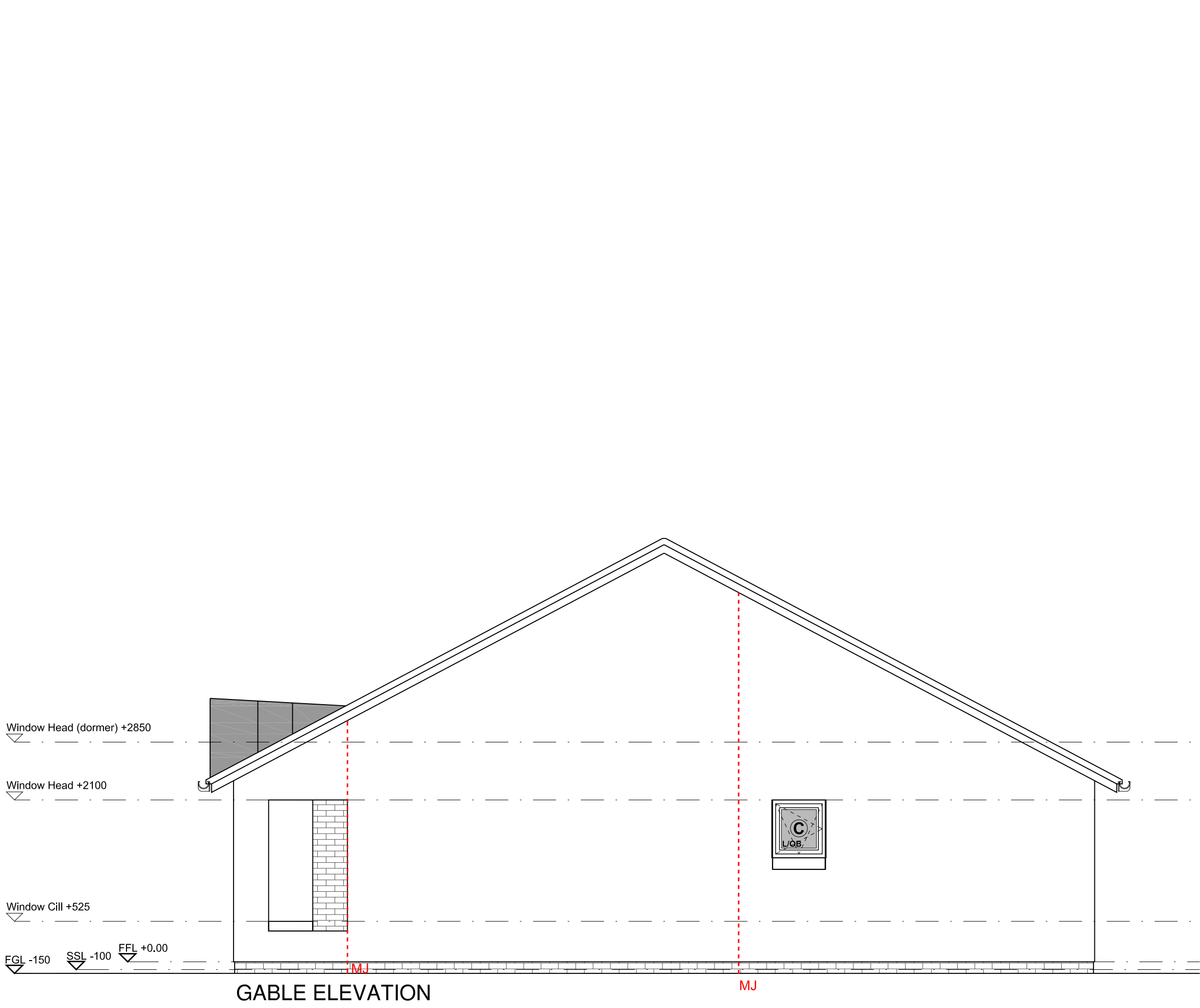
Working
GA Elevations - Block 01

| | | | | | |
|---------|------|----------|------------|-------|------|
| Job No. | 0978 | Copy No. | AL(0)105 | Rev. | B |
| Scale | 1:50 | Sheet | A1 | Scale | 1:50 |
| Drawn | MS | Scale | 1:100 | Sheet | A3 |
| Drawn | MS | Date | 10/04/2012 | Drawn | DR |

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CAD Ref. 196



| Rev | | Date | Notes |
|-----|----------|------|---|
| A | 03.05.12 | | External Door Type X changed to an outward opening French Door with fixed side screen in lieu of inward opening door & fixed side screen. |
| B | 08.05.12 | | Movement joints added. |

| Rev | | Date | Description |
|---------------|--|------|-------------|
| RISK REGISTER | | | |
| | | | |

NOTES

DO NOT SCALE
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TENDER ISSUE

Project
12 Amenity Houses, Copeland Crescent, Millport

Client
North Ayrshire Council

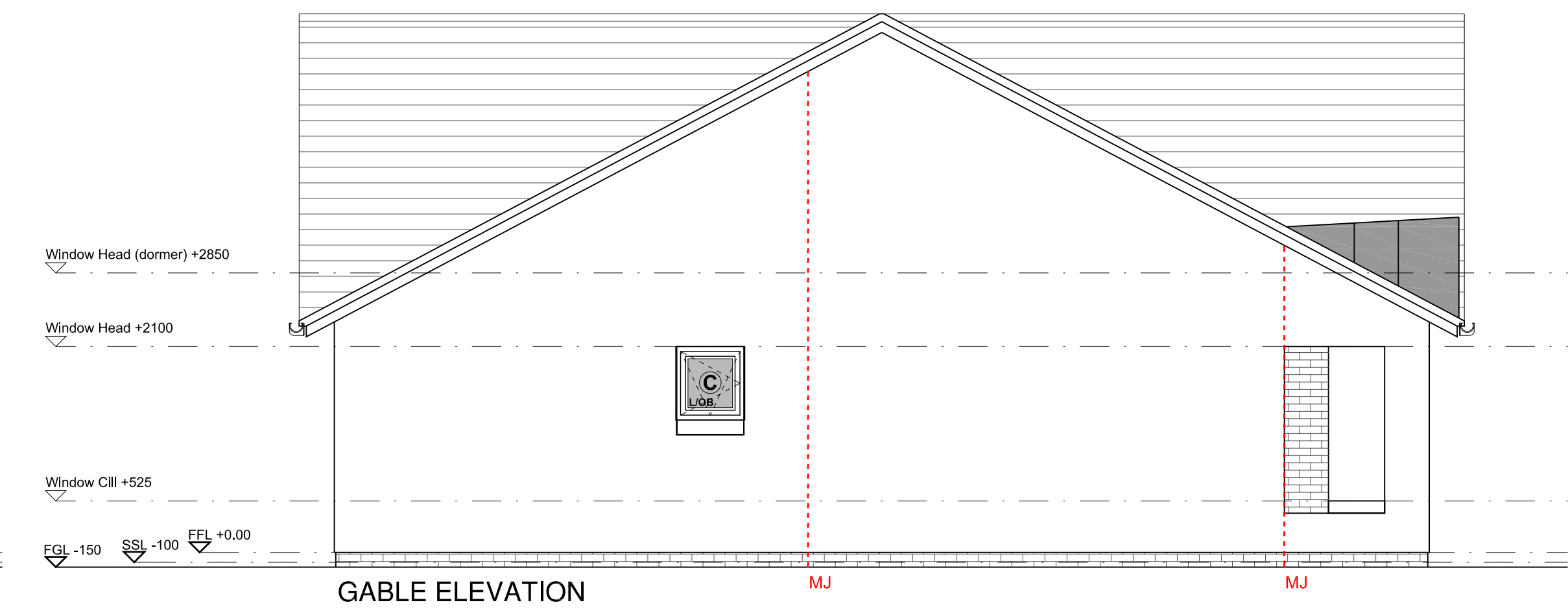
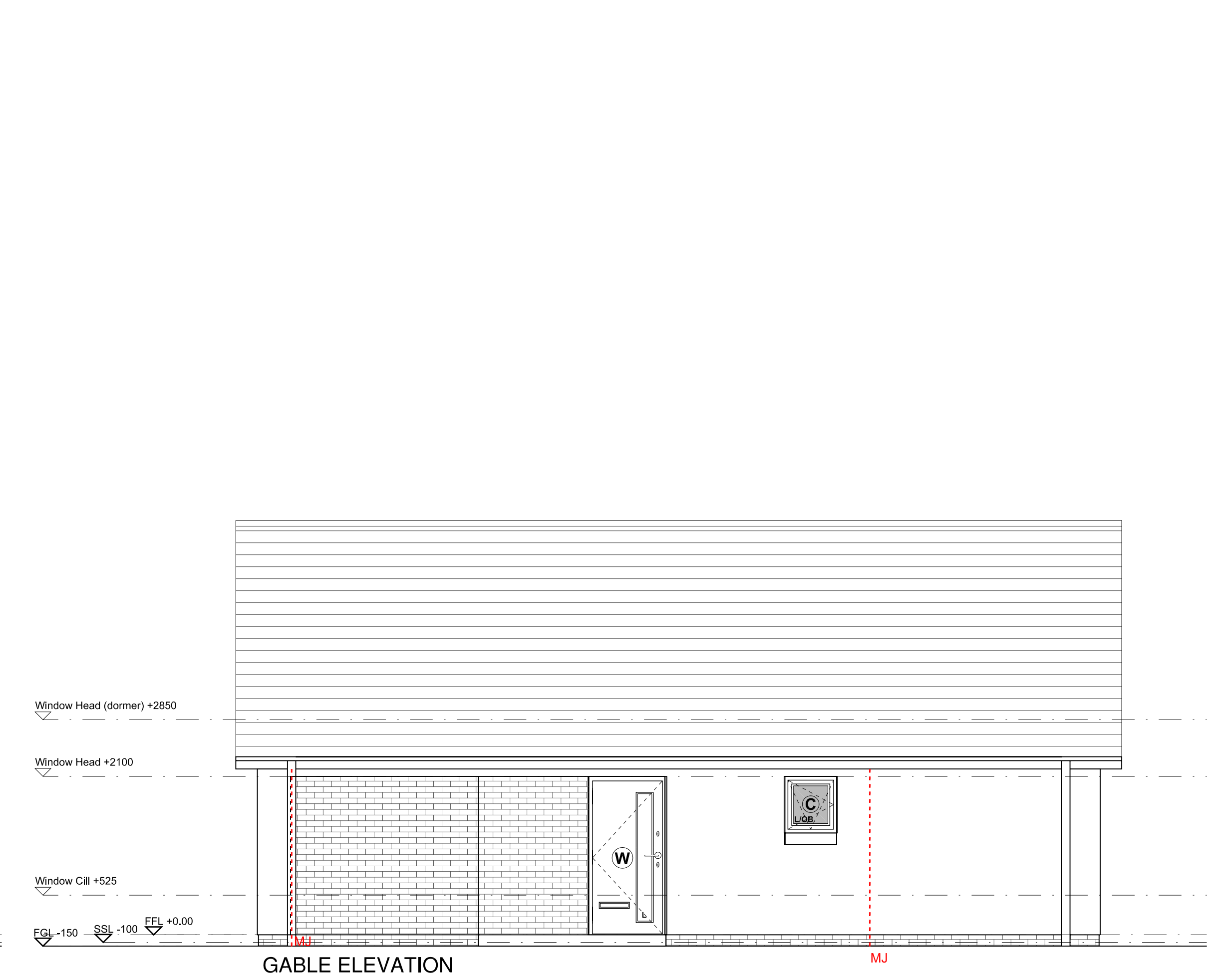
Drawing
GA Elevations - Block 02

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| Scale | 1:50 | Sheet | A1 | Scale | 1:100 |
| Sheet | MS | Sheet | A3 | Scale | DR |
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CAD Ref.



| Rev | | Date | Notes |
|-----|----------|------|---|
| A | 03.05.12 | | External Door Type X changed to an outward opening French Door with fixed side screen in lieu of inward opening door & fixed side screen. Width of rendered pier between rear entrance recesses increased to provide sufficient bearing for the lintel above. Extent of facing brick to Type B Gable Elevation increased. |
| B | 08.05.12 | | Movement joints added. Window Type A2h (Living Room Window) on Type B House increased in width by 450mm. |

| Rev | | Date | Description |
|---------------|--|------|-------------|
| RISK REGISTER | | | |
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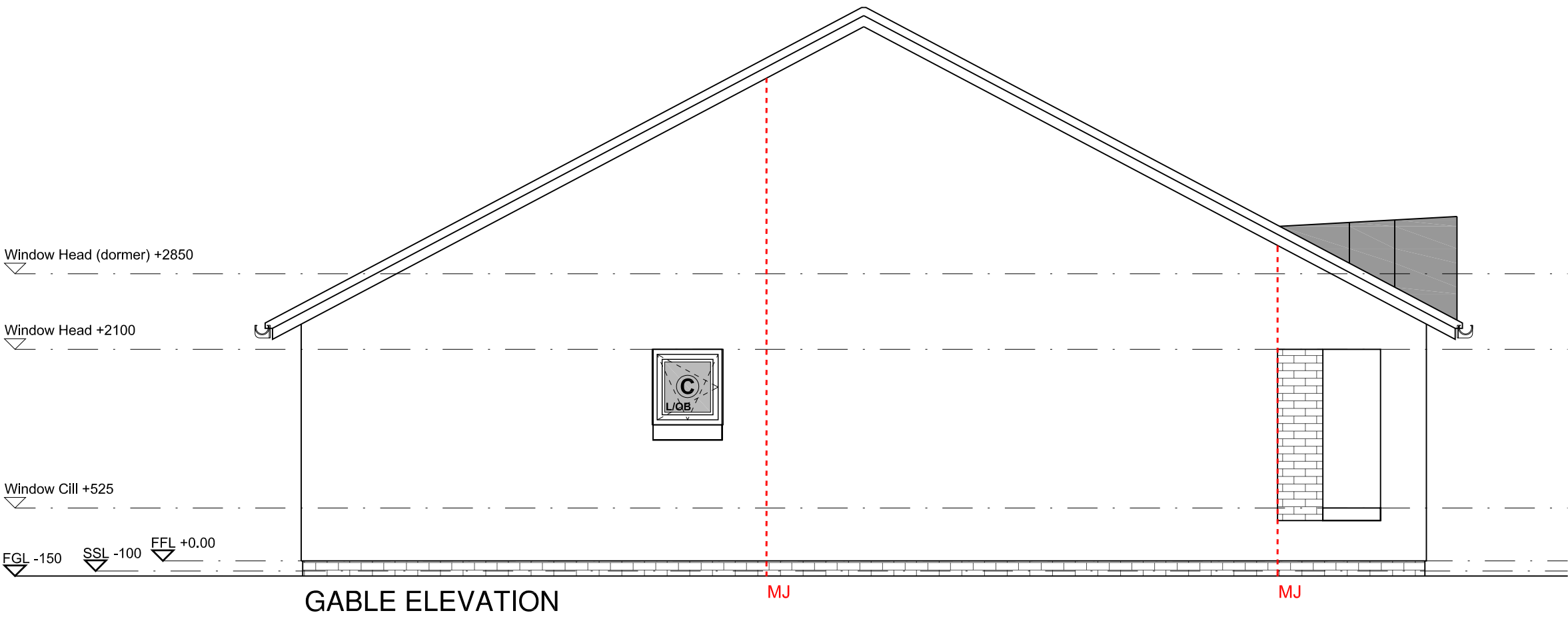
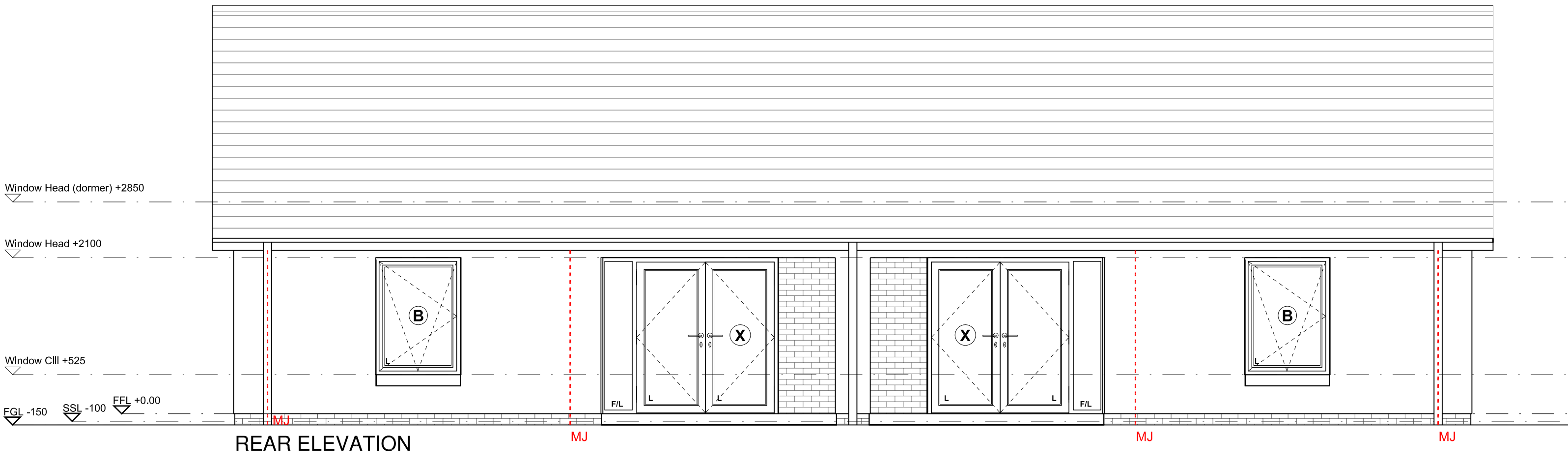
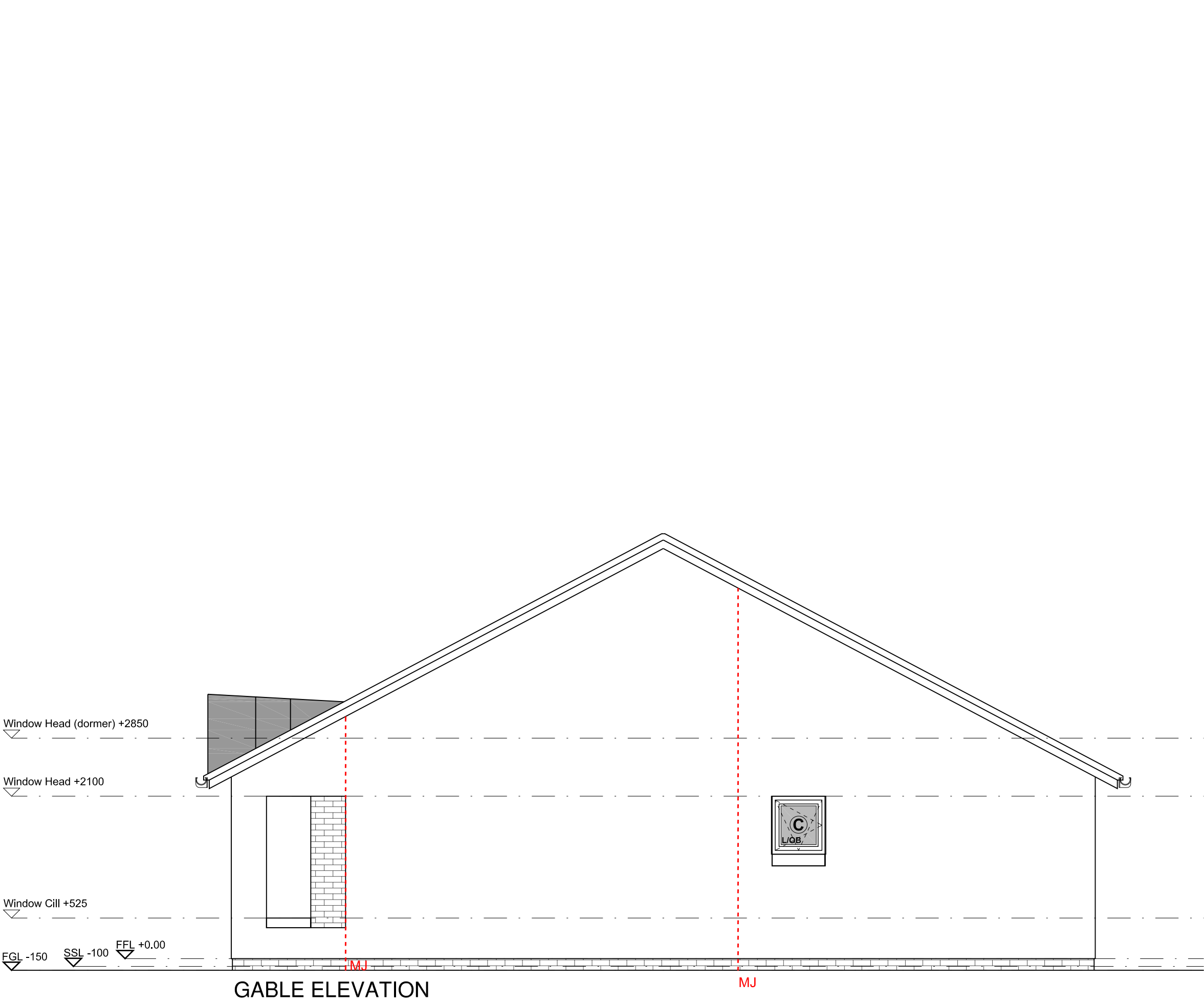
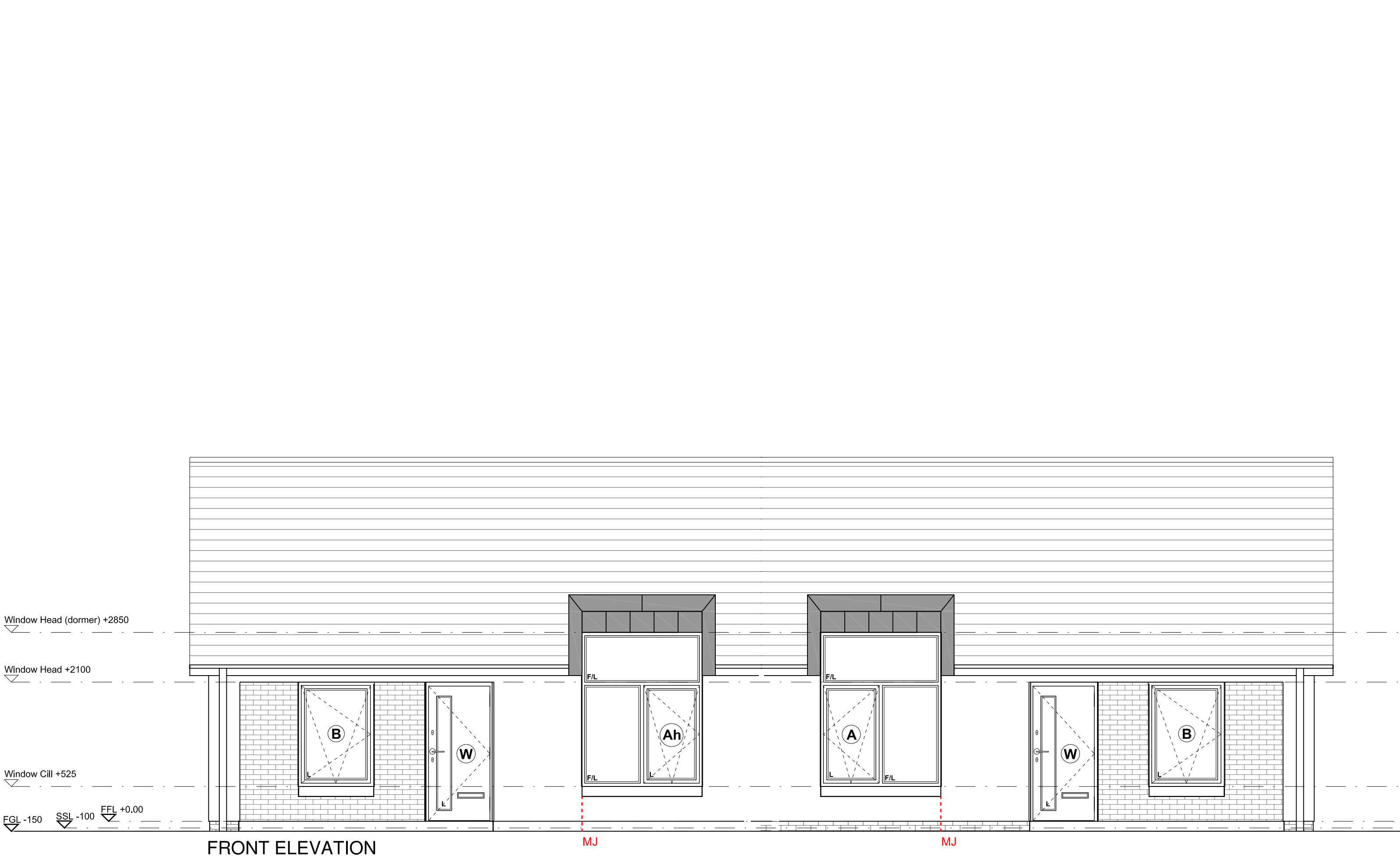
| Project | |
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| 12 Amenity Houses, Copeland Crescent, Millport | |
| Client | |
| North Ayrshire Council | |
| Drawing | |
| GA Elevations - Block 03 & 06 | |

| Job No. | | Copy No. | | Rev. | |
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CAD Ref. 198



| No. | Date | Notes |
|-----|----------|---|
| A | 03.05.12 | External Door Type X changed to an outward opening French Door with fixed side screen in lieu of inward opening door & fixed side screen. Width of rendered pier between rear entrance recesses increased to provide sufficient bearing for the lintel above. |
| B | 08.05.12 | Movement joints added. |

| RISK REGISTER | |
|---------------|-------------|
| No. | Description |

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TENDER ISSUE

Project
12 Amenity Houses, Copeland Crescent, Millport

Client
North Ayrshire Council

Working
GA Elevations - Block 04 & 05

| | | | | | |
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| Drawn | MS | 10/04/2012 | DR | Scale | DR |

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CAD Ref. 199

NORTH AYRSHIRE COUNCIL

Agenda Item 17

4 September 2012

Cabinet

Subject: **Procurement Exercise: Provision of Tenants Contents Insurance**

Purpose: To advise the Cabinet of the procurement exercise undertaken for the provision of Tenants' Contents Insurance and to seek approval for the award of a contract.

Recommendation: That the Cabinet agrees to award the contract for the provision of Tenants Contents Insurance to Jardine Lloyd Thompson Group PLC (JLT).

1. Introduction

- 1.1 On 20 June 2012, an advert was placed in the Official Journal of the European Union for the procurement of provision of Tenants Contents Insurance.
- 1.2 The contract period is three years with the option to extend for up to a further two years, extensions being offered in periods of one year.
- 1.3 The estimated contract value is £103,727 per annum (£518,635 over the anticipated life of the contract).
- 1.4 The current provider of Tenants Contents Insurance is Marsh.

2. Current Position

- 2.1 Six companies expressed an interest on Public Contract Scotland; three of whom completed and submitted tenders.
- 2.2 The evaluation of the Tender was in two stages. Stage One assessed the responses to the Minimum Criteria. All three companies progressed to Stage Two of the evaluation which assessed the following:
 - Price
 - Quality
- 2.3 The preferred supplier following evaluation is JLT. The evaluation matrix and scores are contained in Appendix 1.

3. Proposals

- 3.1 It is proposed that the Cabinet agrees the award of the contract for the Provision of Tenants Home Contents Insurance to JLT, for the contract period of three years with the option to extend for up to a further two years.

4. Implications

Financial Implications

- 4.1 There are no financial cost implications as the Scheme is offered as an extra service to tenants. Administration of the scheme is cost neutral to the Council and is covered by the successful bidder.
- 4.2 Although there are no financial cost implications to the Council, the procurement exercise will result in a benefit to the tenants of a 20% reduction in their insurance premium.

Human Resource Implications

- 4.3 There are no human resource implications.

Legal Implications

- 4.4 The procurement exercise has been undertaken in accordance with European Union procurement regulations.

Equality Implications

- 4.5 The equality credentials of companies submitting tenders has formed part of the PQQ evaluation process.

Environmental Implications

- 4.6 There are no environmental implications.

Implications for Key Priorities

- 4.7 The continued provision of a Tenants Contents Insurance scheme will contribute to the following Single Outcome Agreement outcomes:

- 7 We have tackled the significant inequalities in Scottish society;
7b Fewer people are living in poverty.

5. Consultations

- 5.1 The tender documentation has been completed in consultation with relevant staff in Housing Services to ensure that the tenants requirements were specified.
- 5.2 Housing Services consulted with the Corporate Procurement Unit in the preparation and evaluation of this tender.
- 5.3 Corporate Procurement are satisfied with the recommendation of award.

6. Conclusion

- 6.1 A procurement exercise for the supply of Tenants Home Contents Insurance has identified JLT as the preferred supplier.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : DH/1354/12

For further information please contact Susan Delury, Office Manager
(Housing HQ) on telephone number 01294 324621

Background Papers

Tender documentation



Tender Outcome Report
For Recommendations over £350K

Contract Number NAC\HS\2012-06-01

Contract Title Provision of Tenants Home Contents
Insurance

Table of Contents

Page

| | |
|--|---|
| Purpose | 3 |
| Introduction..... | 3 |
| Background..... | 3 |
| Tender Notice, Interest and Returns..... | 3 |
| Evaluation Process..... | 4 |
| Evaluation Results..... | 4 |
| Overall Score..... | 6 |
| Recommendation..... | 6 |
| Authority to Approve..... | 6 |

Contract Number NAC\HS\2012-06-01
For the procurement of
Provision of Tenants Home Contents Insurance

1 PURPOSE

The purpose of this document is to summarise the invitation to tender process and present a recommendation for contract award. The recommendation is based on the results of the tender evaluation carried out on the responses to the provision of tenants home contents insurance Invitation to Tender. The report will provide assurance that the tender evaluation has been undertaken in accordance with EU Procurement Directives, Public Contracts (Scotland) Regulations 2012 (SSI 2012/88) (as amended) and the Council's Standing Orders Relating to Contracts and Contract Procedure Rules for North Ayrshire Council.

2 INTRODUCTION

- 2.1 This report has been compiled on behalf of the Tender Evaluation Team following the completion of the evaluation of responses to the Invitation to Tenders for the provision of Tenants Home Contents Insurance.
- 2.2 This document contains information that is Commercial in Confidence and is not in the public domain. The contents of this document must not be disclosed or discussed with any third party.

3 BACKGROUND

- 3.1 The existing contract for the provision of Tenants home contents insurance for North Ayrshire Council was due to expire on 1st October 2012.
- 3.2 In order to comply with the Council's Standing Orders and Public Contracts (Scotland) Regulations 2012 (SSI 2012/88) (as amended) a formal tendering exercise was undertaken.
- 3.3 The contract term is for 3 years plus the option to extend for a further 2 x 1 year
- 3.4 Prior to tender tenants paid £124,472 annually in premiums from which the council retained £15,559. The provider received £108,913 including IPT. The total annual contract value was therefore estimated at £103,727 (£518,635 over the anticipated life of the contract).

4 TENDER NOTICE, INTEREST & RETURNS

- 4.1 A formal contract notice was advertised under the open process in the Official Journal of the European Union and Public Contracts Scotland Procurement Portal on 20th June 2012 with a return date of 12 noon, 1st August 2012.
- 4.2 The contract notice attracted 6 expressions of interest from a wide range of potential providers of which 3 submitted offers.
- 4.3 The return date for completed Tenders was 10:00 am, 1st August 2012.

5 EVALUATION PROCESS

- 5.1 The evaluation of such Tenders was in two stages. Stage one assessed the responses to the Minimum Criteria. If, during stage one, it was apparent that a Tenderer has submitted a fundamentally non-compliant Tender in respect of any of the Invitation To Tenders requirements, then the Council could choose to reject that Tender. Clarification could be sought from Tenderers at this stage, in order to determine whether their Tender is complete and compliant.
- 5.2 Following completion of stage one, Tenderers meeting the minimum criteria progressed to stage two of the evaluation. Stage two of the evaluation was carried out by a Tender

Evaluation Panel consisting of appropriately experienced Council Officers and each Tenderers response was assessed against the following published criteria:

| | |
|----------------|-----|
| Price | 60% |
| Quality | 40% |

Price elements considered premiums payable and administration commission to be retained by North Ayrshire Council.

Quality was evaluated using the following sub-criteria/sub-weightings:

| | |
|---|-----|
| Insurance cover provided | 70% |
| Management & Administration of the Scheme | 30% |

- 5.3 The assessment of the criteria took place on 3rd August 2012 at Cunninghame House, 5th Floor Housing Department meeting room. The Tender Evaluation Panel consisted of:

- Susan Delury, Office Manager (Housing HQ)
- Pauline Garnett, Supporting People Finance Officer
- Debbie Barclay, Clerical Officer (Housing)

Maurice McTeague and Suzanne Quinn from North Ayrshire Councils Corporate Procurement Team were also in attendance to facilitate the meeting and advise on the process but did not score the submissions.

6 EVALUATION RESULTS

6.1 Price 60%

Contractors were asked to submit prices for a range of cover options segmented to include pricing for customers over or under 60. Total prices were calculated based on current demand and Contractors were also asked to submit a percentage which would be retained by the Council to cover administration costs which gave the following results and scores:

| Company | Price Tendered | Commission Value Tendered | Total Return to Contractor ex IPT | Ranking | Score as % of overall marks |
|---------|----------------|---------------------------|-----------------------------------|---------|-----------------------------|
| JLT | £498,740.30 | £87,279.55 | £391,867.38 | 1 | 60.00% |
| AON | £522,417.60 | £78,362.65 | £422,909.48 | 3 | 56.26% |
| Marsh | £517,006.80 | £77,551.00 | £418,529.33 | 2 | 56.51% |

6.2 Quality 40%

The Evaluation of the Technical Aspects of the tender responses was carried out by the Tender Evaluation Panel. A summary of which is as follows;

JLT

The evaluation panel felt the response was well written and were confident that the Tenderer would be able to fully meet North Ayrshire Council's requirements and expectations.

AON

The evaluation panel felt the response was well written and were confident that the Tenderer would be able to fully meet North Ayrshire Council's requirements and expectations.

Marsh

The evaluation panel felt the response was well written and were confident that the Tenderer would be able to fully meet North Ayrshire Council's requirements and expectations.

The summary of the quality element is shown in the table below:

| Company | Technical Score | Ranking | Score as % of overall marks |
|---------|-----------------|---------|-----------------------------|
| JLT | 40 | 1 | 40% |
| AON | 40 | 1 | 40% |
| Marsh | 40 | 1 | 40% |

7 OVERALL SCORE

- 7.1 Following agreement of an overall score for each Tenderer and taking into consideration all qualitative and commercial elements of the responses, a high level summary sheet was completed as shown below:

| Company | Actual Cost ex IPT | Pricing Score | Quality Score | Total Score | Total Ranking |
|---------|--------------------|---------------|---------------|-------------|---------------|
| JLT | £391,867.38 | 60.00% | 40 | 100 | 1 |
| AON | £422,909.48 | 56.26% | 40 | 96.26 | 3 |
| Marsh | £418,529.33 | 56.51% | 40 | 96.51 | 2 |

References for the highest ranking service provider were obtained from South Ayrshire Council and East Ayrshire Council where the company already delivers these services.

8 RECOMMENDATION

- 8.1 The recommendation of the Tender Evaluation Panel is that a contract be awarded to JLT, subject to any challenges during the Standstill Period.
- 8.2 The estimated total value of the contract (including any possible extensions and all collaborative partners) is £411,460 with an estimated annual budgetary spend to North Ayrshire Council of £78,374 excluding IPT. Annual commission to NAC is £17,456 (£87,280 over the life of the contract). Estimated annual saving to tenants currently participating in the scheme is greater than 20%.
- 8.3 Subject to approval, Letters of Intent will be issued to all successful and unsuccessful Tenderers acknowledging the Standstill Rules.
- 8.4 Both successful and unsuccessful Tenderers will be provided with the opportunity to receive a full debrief in accordance with EU Legislation, the Public Contracts (Scotland) Regulations and Scottish Procurement Directorate guidance.
- 8.5 Upon the conclusion of the Standstill Period, where no formal Legal challenge has been raised, to issue Letters of Acceptance to the successful companies.

9 AUTHORITY TO APPROVE

- 9.1 In line with Standing Orders Relating to Contracts and Contract Procedure Rules for North Ayrshire Council, the Tender Evaluation Panel seeks to obtain authority from Cabinet to accept the Tender and award a contract to the Tenderer identified in section 8.1.
- 9.2 If authority to accept is given by committee, please attach a copy of the minutes giving approval.

Representative of Committee:

PRINT NAME: _____

SIGNED: _____

DATE: _____