NORTH AYRSHIRE
COUNCIL

Cunninghame House,
Irvine.

18 October 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 23 OCTOBER 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 2 October 2012 will be signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

3. Welfare Reform Action Plan (Page 19)
Submit report and receive presentation by the Corporate Director (Finance and Infrastructure) on the progress made against the Welfare Reform Action Plan (copy enclosed).

GENERAL BUSINESS FOR DECISION

4. Discretionary Housing Payment Policy (Page 57)
Submit report by the Corporate Director (Social Services and Health) seeking approval of the Discretionary Housing Payment Policy (copy enclosed).

5. Procurement Reform Bill - Consultation (Page 65)
Submit report by the Corporate Director (Finance and Infrastructure) on the Council's response to the Scottish Government consultation on the proposed Procurement Reform Bill (copy enclosed).

6. Extension of the Modern Apprentice Scheme (Page 87)
Submit report by the Chief Executive on a review of the Scheme and seeking approval for additional funding to expand the Modern Apprenticeship Scheme within the Council (copy enclosed).

7. Irvine Bay Regeneration Company - SPRUCE Funding (Page 93)
Submit report by the Corporate Director (Finance and Infrastructure) seeking approval for the Council to act as guarantor for Irvine Bay Regeneration Company in respect of proposed SPRUCE loan funding (copy enclosed).

8. Data Protection Policy - Policy Approval (Page 103)
Submit report by the Solicitor to the Council seeking approval for the Data Protection Policy (copy enclosed).

9. Scheme of Assistance (Page 117)
Submit report by the Corporate Director (Social Services and Health) seeking approval for the revised Scheme of Assistance (copy enclosed).

10. Consultation on The Same As You? 2000-2012 (Page 145)
Submit report by the Corporate Director (Social Services and Health) on the Council's response to the consultation (copy enclosed).

11. Kilwinning: Redstone Avenue: Council House Development Project (Page 169)
Submit report by the Corporate Director (Social Services and Health) on tenders for the Council House development project at Redstone Avenue, Kilwinning and on a proposed increase in the number of units to be delivered (copy enclosed).

GENERAL BUSINESS FOR INFORMATION

12. 2012/13 Housing Revenue Account (HRA) Major Capital and Investment Programme (Page 175)
Submit report by the Corporate Director (Finance and Infrastructure) on progress being made in relation to the HRA major works programme (copy enclosed).

CONTRACT APPROVAL

13. Framework Agreements for the Provision of Taxi Services (Page 181)
Submit report by the Corporate Director (Finance and Infrastructure) on the outcome of the procurement exercise to put in place Framework Agreements for the Provision of Taxi Services (copy enclosed).

14. Insulated Rendering Works proposed for 60 Houses in Kilbirnie (Page 191)
Submit report by the Corporate Director (Finance and Infrastructure) on tenders received in respect of insulated render works to 60 houses in Kilbirnie (copy enclosed).

MINUTES FOR INFORMATION

15. Community Empowerment Policy Board (Page 203)
Submit report by the Corporate Director (Education and Skills) on the Minutes of the Meeting of the Community Empowerment Policy Board held on 17 September 2012 (copy enclosed).

16. Economy and Employment Policy Board (Page 211)
Submit report by the Chief Executive on the Minutes of the Meetings of the Economy and Employment Policy Board held on 3 September and 1 October 2012 (copy enclosed).

17. 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:

Agenda Item 2

Cabinet
2 October 2012

IRVINE, 2 October 2012 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present
Willie Gibson, Marie Burns, Tony Gurney, Alan Hill and Alex McLean.

Also Present
John Easdale.

In Attendance
E. Murray, Chief Executive; I. Mackay, Solicitor to the Council; L. Friel, Corporate Director, A. Bodie, Head of Infrastructure and Design Services and C. Hatton, Head of Environment and Related Services (Finance and Infrastructure); C. Kirk, Corporate Director and S. Storrie, Project Manager (Education and Skills); I. Colvin, Corporate Director (Social Services and Health); G. Macgregor, Head of Human Resources and Organisational Development and F. Walker, Team Manager (Human Resources); D. Griffith, Community Planning Partnership Analyst, S. Bale, Policy and Performance Officer, K. Dyson and D. Moroney, Communications Officers and M. Anderson, Committee Services Officer (Chief Executive's Service).

Also In Attendance
A. Collins, iEmployee Experience.

Chair
Councillor Gibson in the Chair.

Apologies for Absence
Anthea Dickson and John Ferguson.

1. Declarations of Interest

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

2. Minutes

The Minutes of the previous meeting of the Cabinet held on 18 September 2012, were signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Employee Engagement Survey 2012

Submitted report by the Chief Executive on the key findings from the Employee Engagement Survey conducted in March 2012. The Cabinet also received a presentation by Andrea Collins of iEmployee Experience on the scope of the study, its key findings and identified areas for improvement.

iEmployee Experience was commissioned in the summer of 2011 to design, host and analyse a Council-wide employee survey. The survey was distributed to a total of 6704 employees. The question set used was listed at Appendix 1 to the report.

The survey produced a response rate of 41.92%. Section 2 of the report gave information on the responses received, the employee engagement profile and the key drivers of engagement. Details of engagement levels in a variety of public and private sector organisations were provided for information at Appendix 2 to the report.

The areas within the survey which attracted the most positive responses were in relation to teamwork, co-operation within the Council, and clarity of roles. Negative responses were associated with visibility and clarity around the Council's leadership team and the management of change. Safety and physical comfort in the workplace were considered by the vast majority of respondents as important or very important, followed closely by salary. A Cross-Service Working Group has used the outcome of the survey to inform a Council-Wide Improvement Plan, which was set out at Appendix 3 to the report.

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

- the rationale for the high number of questions asked within the survey, some of which appeared to be similar in nature;
- the value of the very precise percentages reported;
- measures to address differences between Services in terms engagement levels; and
- possible reasons for the high percentage of respondents expressing a desire to "stay" with the Council, when compared with responses for the other categories of "relate", "say" and "strive".

The Cabinet agreed to (a) note the key findings from the Employee Engagement Survey 2012; (b) approve the Improvement Plan set out at Appendix 3 to the report; (c) receive updates on improvement plan activities on a six-monthly basis; (d) note that a follow-up survey will be conducted in approximately three years; and (d) note that work will continue with Service representatives in order to establish Service Improvement Plans which will contribute to the overall Council Improvement Plan.

4. Children's Hearing Scotland Act 2011: Ayrshire Area Support Team

Submitted report by the Chief Executive on the Council's involvement in supporting the Ayrshire Area Support Team (AST) to be established under the Children's Hearings (Scotland) Act 2011. Additional background information from the Scottish Government on the new arrangements, was circulated at the meeting.

The 2011 Act makes major changes to the Children's Hearings System in Scotland, including the creation of a National Convener and a National Children’s Panel, supported by Children’s Hearings Scotland (CHS). Area Support Teams (ASTs) will replace the Children’s Panel Advisory Committees (CPACs) structure to manage and support the Children’s Panel at local level.

Under the National Convener's proposals for ASTs, the existing three Ayrshire CPACs will merge to become a single AST. CHS is keen to conclude a formal Partnership Agreement in Ayrshire at an early date. A draft Partnership Agreement was set out as an Appendix to the report and records the commitment of CHS and the Council(s) to support to the AST from 24 June 2013 until 30 June 2017. Discussions between Officers from the three Local Authority areas have taken place with regard to the level of support required by the new AST, how this support might be delivered, and how it will be funded. To ensure the AST receives coordinated support, it is suggested that one authority, namely North Ayrshire Council, should take the lead, with the costs of providing support met by all three Authorities.

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

- the importance of keeping referral rates and other key data under review, to ensure that the proportion of costs met by each of the three Ayrshire Authorities remains appropriate; and
- the reason for the discrepancy between the number of children referred to the hearing system and the number who go on to become the subject of a hearing.

The Cabinet agreed (a) that North Ayrshire take on the lead role for supporting the Ayrshire AST, subject to a Minute of Agreement being concluded with East and South Ayrshire Council on funding and operational arrangements; and (b) to authorise the Chief Executive to conclude a Partnership Agreement between North Ayrshire Council and the National Convener.

5. Benefit Payments To All 16-17 Year Olds Who Meet The Eligibility Criteria For Aftercare Support From North Ayrshire Council

Submitted report by the Corporate Director (Social Services and Health) on an annual increase in benefits to all 16-17 year olds who meet the eligibility criteria for aftercare support in line with benefit rates paid to this age group by the Department for Work and Pensions (DWP).

The Support and Assistance to Young People Leaving Care (Scotland) Regulations and guidelines 2003 came into force on 1 April 2004. The Regulations emphasised the role Councils have as a corporate parent to this group of young people and, in particular, to those who cannot return to their families. As part of this agenda, the Department for Work and Pensions transferred to Councils the responsibility of providing regular financial support to all 16-17 year olds who have been looked after away from home for over 13 weeks, since the age of 14 years, and until their school leaving date. Additional funding was given to local government in recognition of the transfer of this responsibility.

North Ayrshire Council currently pays benefits to 16 young people in receipt of benefit payments for aftercare support. The rate paid is below that of DWP levels of benefit. By increasing the current payment level to this group of young people from £52.00 to £57.00 per week, an additional cost of £4,160 would be incurred for 2012/13 to address the backdating of the increase in payment from 1 April 2012.

Members asked questions, and received clarification, on the reason for the transfer of responsibility for these benefit payments from the DWP to Councils.

The Cabinet agreed to (a) increase the payments to 16-17 year-olds who meet the eligibility criteria for aftercare support from North Ayrshire Council in line with current benefit levels, as set out at Section 4.1 of the report; and (b) increase the amount in question on an annual basis effective from 1 April each year in order to match those rates set by the Department for Work and Pensions.

6. Scottish Futures Trust, South West Hub Territory: Appointment of a Private Sector Development Partner and Establishment of South West Hubco

Submitted report by the Corporate Director (Finance and Infrastructure) on the selection of a private sector partner to participate in the South West Territory Hubco.

The report provided an update on the procurement process to select a private sector development partner to join with the current 19 participants and Scottish Futures Trust to form SWhubco. The report also considered the Council's representation within the proposed governance arrangements. Section 1 of the report summarised the purpose and structure of the Hub and set out its key objectives.

The Procurement Process and Evaluation Report were set out at Appendix 1 to the report and details of the 3 short-listed tenderers selected to participate in the Competitive Dialogue Process were provided in Sections 2.6.1-2.6.3 of the report. One of the 3 tenderers, the Triarch consortium, subsequently withdrew from the process and the process continued with the 2 remaining bidders.

The evaluation criteria matrix was given at Section 2.10 of the report. The SWhub Territory Programme Board agreed that Alliance Community Partnerships, which achieved the highest score, were the preferred bidder to become the Private Sector Development Partner. This was subsequently ratified by the National Programme Board. Permission is now being sought from each participant to approve the private sector development partner and for each participant to consider joining the partnership and taking on a shareholding in Hubco. There is also the requirement to appoint a B Shareholders' Director to the Board of Hubco, to represent all of the public sector partners on the Hubco board. A summary of the proposed governance procedures and the role of the Territory Partnering Board and SWhubco Board were included at Appendix 2 to the report.

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

- whether officers were comfortable with the 20% quantitative element of price evaluation;
- the opportunity for smaller local businesses to bid for work;
- whether there was a perceived lack of control by the Council over a hub system set up by the government; and
- the role of the Director of Finance, NHS Dumfries and Galloway as the current chair of the Territory Programme Board and prospective B Shareholders' Director on the Board of hubco.

The Cabinet agreed to approve (a) the appointment of Alliance Community Partnerships (ACP) as the private sector development partner for SW Hubco; (b) North Ayrshire Council's participation in SWhubco; (c) the investment of equity and the provision of working capital to become a shareholder in SW Hubco to be met from SFT enabling funds; (d) the entering into of the Territory Partnering Agreement, Shareholders Agreement and participants' agreement, summary details of which were set out at Appendix 3 to the report; and (e) the following appointments, namely (i) delegated authority to be given to Ian Mackay, Solicitor to the Council to execute the agreements outlined at Section 3.3 (d) of the report on behalf of North Ayrshire Council; (ii) delegated authority to the Director of Finance and Infrastructure, in conjunction with the Solicitor to the Council to agree on behalf of North Ayrshire Council any further non-material amendments to the Territory Partnering Agreement, Shareholders Agreement and Participants' Agreement prior to the date of execution of the said documents; (iii) the appointment of Craig Marriott Director of Finance at NHS Dumfries and Galloway (and current chair of the Territory Programme Board) as the B Shareholders' Director on the Board of hubco; (iv) the appointment of Bill Martin, SWhub Territory Programme Director as the B Shareholders' Representative and Lead Participants' Representative under and in terms of the Participants' Agreement with delegated authority to take any action, grant any approval or consent or sign any notice required in terms of the Shareholders Agreement and Territory Partnering Agreement; and (v) the appointment of the Director of Finance and Infrastructure as North Ayrshire Council's representative on the Territory Partnering Board with delegated authority to make any decisions on its behalf which require to be taken by the Territory Partnering Board pursuant to its constitution.

7. Fairer North Ayrshire Funding

Submitted report by Chief Executive of proposals for future Fairer North Ayrshire Funding.

The Community Planning Partnership was allocated Fairer Scotland funding in 2008/09 by the Scottish Government to tackle poverty and deprivation across Scotland. In 2010/11, the ring fencing of the funding by the Scottish Government ended and the fund became part of the local government financial settlement. Elements were subsumed into the appropriate services of the Council, with the remaining funding allocated to the budget of the Chief Executive's Service. The latter has funded specific initiatives around early intervention and prevention, as detailed in Section 2.4 of the report.

As part of the Council's ongoing review of programmes and budgets, each of the initiatives have been examined and revised proposals for future arrangements discussed. Meetings have been held with the Lead Officers for each initiative to examine possible efficiency savings in 2013/14. The current funding in 2012/13 and proposed levels of funding for 2013/14 were detailed at Section 3.3 of the report.

The report proposed that funding for B-Active be vired from the Chief Executive's budget to Education and Skills and that, for 2014/15 and 2015/16, the indicative budgets for Additional Policing, Mobile CCTV, Fire Prevention, Evolution Skatepark and B-Active be retained at the same levels as those proposed for 2013/14. The exit strategy for the ABCD Project led by the NHS has still to be finalised, but its core components were highlighted at Section 3.6 of the report. The intention would be for the funding from the Council to the NHS to cease from 2013/14, resulting in a saving of £80,000 in 2014/15.

Members asked questions, and received clarification on the continued provision of 4 additional police officers notwithstanding the reduction in funding for the Additional Policing initiative.

The Cabinet agreed to approve the proposals for future Fairer North Ayrshire Funding highlighted within the report and detailed in Section 3.

8. Neighbourhood Planning Approach: Proposed Boundaries

Submitted report by the Chief Executive on proposed neighbourhood boundaries for Community Planning Partnership.

The report presented a number of options with regard to the establishment of common boundaries in support of the development of a Neighbourhood Planning Approach across North Ayrshire. These intermediate boundaries would provide the basic geography upon which more detailed needs analysis of neighbourhoods and localities will be conducted. The optimum boundary configuration will be informed by the most up-to-date needs-based data and, where possible, provide the best fit to existing settlements, transport links and topography. Partnership agreement on the new common boundaries will be an essential stage in facilitating a coordinated programme of Community Planning Partnership (CPP) resource re-alignment, developing co-location of services and other potential joint working arrangements across neighbourhoods.

The CPP held a workshop on 18 June to explore the application of a neighbourhood management approach to the deployment of public services and resources across North Ayrshire. A number of key priorities was identified, including the necessity of mapping the existing resources of all partners at a neighbourhood level and the need to move towards developing and agreeing a single set of agreed neighbourhood boundaries. A draft action plan from the workshop will feed into the overall Improvement Plan.

Section 3 of the report outlined the relative strengths and weaknesses of four separate configurations for intermediate area boundaries. Potential benefits and issues for delivering services across these areas were explored for each and summarised at Appendix 1 to the report. The report proposed that the Cabinet initially approve Option 3 areas (Arran, Irvine, Kilwinning, Three Towns, Garnock Valley and North Coast and Cumbraes with West Kilbride). This configuration presents the most efficient geography for implementing a neighbourhood management approach in the initial stages, while aligning more closely with existing service boundaries. The Cabinet and CPP Board will be consulted on any ongoing refinements or adjustments of agreed boundaries where appropriate.

The Committee agreed to approve Option 3 as set out within the report, namely the development of six 'neighbourhood boundaries' around the areas of Arran, Irvine, Kilwinning, Three Towns, Garnock Valley and North Coast and Cumbrae with West Kilbride.

9. Chief Social Work Officer Annual Report

Submitted report by the Corporate Director (Social Services and Health) on the Chief Social Work Officer Annual Report as required by the Scottish Government's Guidance.

There is a requirement under the Social Work (Scotland) Act 1968, as amended by the Local Government (Scotland) Act 1994, for every local Authority to appoint a professionally qualified Chief Social Work Officer (CSWO). The CSWO should prepare an annual report to the local Authority on the statutory, governance and leadership functions of the role.

The third annual report for North Ayrshire Council covering the period April 2011 to March 2012 was attached at Appendix 1 to the report. It provided information on the following:-

- the governance arrangements associated with the role;
- statutory duties and decisions carried out by the CSWO;
- action in relation to protection and risk management;
- activity in terms of regulation, inspection and improvement; and
- workforce development work.

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

- the growing number of kinship care placements and the promotion of residence orders; and
- the provision of CALM training within children's units and, where appropriate, mainstream education establishments, including to probationer teachers.

The Cabinet agreed to note and endorse the Chief Social Work Officer report set out at Appendix 1 to the report.

10 Central Scotland Green Network (CSGN): Local Authority Concordat

Submitted report by the Solicitor to the Council on the Council being a signatory to the Local Authority Concordat with the Central Scotland Green Network (CSGN).

The CSGN is a wide-ranging initiative to transform the landscape of an area stretching from Ayrshire and Inverclyde in the west, to Fife and the Lothians in the east. The CSGN is a long-term project and is included in NPF 2 as one of only 14 National Developments, considered by Ministers to be essential elements of the strategy for Scotland's long term development. A CSGN Partnership Board has been established to help drive forward development and delivery of the Green Network. Details in respect of the CSGN Vision statement, the members of the Board and the initial milestones of the CSGN project were set out in Appendix 1 to the report.

The CSGN concept has been incorporated into the North Ayrshire Local Development Plan (LDP), which includes references to the CSGN and provision for the preparation of Supplementary Guidance on Green Networks. This guidance will outline expectations in respect of green spaces in new developments, connectivity, habitat creation, outdoor access considerations and biodiversity.

A CSGN Development Fund was announced by Scottish Ministers in May 2010. The fund is geared towards projects which tackle the transformation of areas suffering from multiple deprivation, lack of access to green space and the blight of vacant and derelict land. Initially, early delivery projects to realise the Green Network on the ground were identified and some 3 rounds of funding have now been distributed by CSGN. The Council and other partners (Ayrshire Joint Planning Unit, Irvine Bay Regeneration Company) have been successful in securing over £200,000 in CSGN funding since 2010 for a variety of projects as well as for the 2-year appointment of a CSGN Co-ordinator for the Ayrshire and Arran Green Network. More details of the funding awards were contained within Appendix 3.

The report proposed that the Council sign up to the Concordat set out at Appendix 2 to the report, to demonstrate its commitment to the CSGN as a national initiative.

The Cabinet agreed to approve (a) the Council being a signatory to the Local Authority Concordat with the Central Scotland Green Network (CSGN); (b) adherence to the CSGN principles expressed in the Concordat; and (c) the embedding of the CSGN in all relevant policies, strategies and plans, most notably in the Single Outcome Agreement and the Local Development Plan.

11. Asset Management Plans Update on Progress

Submitted report by the Corporate Director (Finance and Infrastructure) of progress in the implementation of the Council's Asset Management Action Plans.

The former Executive approved the Corporate Asset Management Strategy at its meeting on 29 March 2011, having previously approved six themed asset management plans covering Property, Roads, Housing, Open Space, Fleet and ICT.

Each plan also has an Action Plan to ensure continued development of the Council's approach to its core assets.

A progress report on each Action Plan was attached at Appendix A to the report and summarised in Section 2. The themed asset plans will form the basis of the investment discussions for the budget process in 2013/14 onwards. In developing each asset plan, it was identified that some assets do not appear in any of the themed plans and further work is now ongoing to identify these. Further work is still required to develop links with community partners, to seek opportunities to collaborate around asset planning in the future.

Noted.

12. A737 Trunk Road Improvements – Update On Progress

Submitted report by Corporate Director (Finance and Infrastructure) on progress with proposals to improve the A737 Trunk Road.

The A737 Trunk Road is one of the main strategic transportation routes serving North Ayrshire. Increasing traffic volumes are causing difficulties within communities along the road, causing congestion and reduced air quality, and creating additional road safety risks. At the same time, there is a need to grow and develop existing and new businesses in North Ayrshire and the A737 has a critical role in linking efficiently to the Glasgow conurbation and beyond.

A steering group comprising Transport Scotland, the Council and respective advisors has now been established to ensure that progress is made on all of the packages/projects relating to the A737. Transport Scotland, which is leading the Dalry Bypass and the works at Beith and The Den, is currently developing the works at Beith to tender-ready stage, including conclusion of land purchases. This will prepare the schemes to a 'shovel ready' stage for implementation should full funding become available in the next spending review. The next stage will be the completion of draft Road Orders by late Autumn 2012. These Orders typically take between 6 and 18 months to complete depending on any local objection.

The Council is undertaking initial work to consider the implications for Kilwinning Town Centre, co-ordinating the assessment work with the ongoing transportation considerations of the Local Development Plan. The Council will also assess Pennyburn roundabout to consider additional capacity opportunities looking to at least the next 5-10 year horizon, and will consider options to upgrade the B714 as a potential new strategic road link.

Noted.

13. Corporate Equality Group

Submitted report by the Chief Executive on the Minutes of the meeting of the Corporate Equality Group held on 3 September 2012.

Noted.

14. Environment and Infrastructure Policy Board

Submitted report by the Corporate Director (Finance and Infrastructure) on the Minutes of the Meeting of the Environment and Infrastructure Policy Board held on 3 September 2012.

Noted.

15. Finance and Corporate Support Policy Board

Submitted report by the Corporate Director (Finance and Infrastructure) on the Minutes of the meeting of the Finance and Corporate Support Policy Board held on 10 September 2012.

Noted.

16. Provision Of Five New Houses At The Former Children's Home Site At Harley Place, Saltcoats

Submitted report by the Corporate Director (Finance and Infrastructure) on tenders received for the new house building project at Harley Place, Saltcoats.

The approved Housing Revenue Account (HRA) capital budget for the financial year 2012/13 makes provision for the new housing project at Harley Place, Saltcoats. This budget allocation amounts to £704,453, which is sufficient to complete the proposed works and all professional and statutory consent costs associated with this project. The former Executive agreed to demolish what was previously a children's home and progress with the design and tender of five new houses for rent on the cleared site. The Executive noted the need for two specially adapted properties in the Saltcoats area.

The Tender Outcome Report set out at Appendix 1 to the report provided a summary of the procurement process and made a recommendation for the appointment of the successful contractor, namely Ashleigh (Scotland) Limited, for the sum of £632,841.96.

The Cabinet agreed to approve the acceptance of the tender submitted by Ashleigh (Scotland) Limited, at a cost of £632,841.96.

17. Upgrading Of External Fabric At Western Gateway, Almswall Road and Main Street, Kilwinning

Submitted report by the Corporate Director (Finance and Infrastructure) on tenders for the upgrading works at Western Gateway, Kilwinning.

The Western Gateway improvement scheme embraces the corner block of Almswall Road and Main Street, Kilwinning and includes the maisonette and retail unit addresses referred to in Section 3.1 of the report. Details of the scope of the works were provided in Section 3.2.

The Tender Outcome Report set out at Appendix 1 to the report provided a summary of the procurement process and made a recommendation for the appointment of the successful contractor, namely CCG (Scotland) Limited, for the sum of £525,045.26.

The Cabinet agreed to approve the acceptance of the tender submitted by CCG (Scotland) Limited, at a cost of £525,045.26.

18. Conservation Area Regeneration Scheme: Trinity Church Phase 2 Works

Submitted report by the Solicitor to the Council on the Irvine Conservation Area Regeneration Scheme and to seek approval for the appointment of a contractor to undertake phase 2 (main works) to Trinity Church.

Responses to a Pre-Qualification Questionnaire for the undertaking of phase 2 conservation and repair works to Trinity Church were received on 30 March 2012. There were 18 submissions and, following a scoring process, 6 contractors were selected to provide competitive tenders. These have now been assessed, with Fleming Masonry providing the lowest cost competitive tender at £679,991.17. A Tender Evaluation Report was provided at Appendix 1 to the report.

The Cabinet agreed to (a) note the progression of the Irvine Conservation Area Regeneration Scheme; and (b) approve the appointment of Fleming Masonry to undertake phase 2 main works to Trinity Church at a cost of £679,991.17.

The meeting ended at 4.00 p.m.

NORTH AYRSHIRE COUNCIL

Agenda Item 3

23 October 2012

Cabinet

Subject:	**Welfare Reform Action Plan**
Purpose:	To update the Cabinet on the progress made against the Welfare Reform Action Plan as set out at Appendix 1.
Recommendation:	That the Cabinet notes the progress made against the Welfare Reform Action Plan, as set out at Appendix 1.

1. Introduction

1.1 The Council's Welfare Reform Working Group developed an action plan to respond to each of the welfare reforms contained in the Welfare Reform Act 2012.

1.2 The action plan contains 13 welfare reforms and 6 overarching actions to be implemented.

1.3 The action plan is on track and progress against those actions which have commenced is summarised at Appendix 1.

2. Current Position

Reduction in Housing Benefit due to under-occupation

2.1 Information from the Housing Benefit system and Housing Management system has been used to identify the potential level of under-occupation in council houses using the bedroom size criteria.

2.2 There are currently 5,252 working age council tenants in receipt of Housing Benefit from which 2,668 tenants (51%) are under-occupying their property.

2.3 2,118 tenants are under-occupying their home by 1 bedroom and will receive a 14% reduction on their eligible rent from 1 April 2013.

2.4 550 tenants are under-occupying their home by 2 or more bedrooms and will receive a 25% reduction on their eligible rent from 1 April 2013.

2.5 Housing Services plan to contact and provide the 2,668 tenants with support and advice in terms of the reduction in their benefit entitlement and the housing options available to them, support with budgeting and opening bank accounts, payment advice and referrals to Money Matters where applicable.

2.6 Housing Services has set up a working group to take forward the issue of under-occupation. The three major local Housing Associations are represented on the group and they have started to identify the level of under-occupation in their stock. The group will pool resource, explore good practice and assess the impact on the North Ayrshire Common Housing Register and Common Allocation Policy.

2.7 The Council's Benefits System is being modified to capture the number of bedrooms associated with a property and the software is expected before the end of October. Data will be gathered from Housing Services and Housing Associations and electronically loaded into the Benefits system in readiness for the April 2013 change.

2.8 £25.2m of council rents payable are covered by Housing Benefit (63.6%). The forecast reduction in housing benefit due to under-occupation by council tenants is £1.277m from April 2013 (5% of total HB payments). Housing Associations will also see a reduction in the amount of Housing Benefit paid to them. The amount of DWP subsidy received by the Council during 2013-14 will be reduced by the equivalent amount.

2.9 Council rent arrears currently stand at 2.8% of the annual rent payable. The DWP "Social Sector Housing under occupation impact assessment" was used to estimate the increase in rent arrears when housing benefit is reduced from 1 April 2013 due to under-occupation. Rent arrears are expected to increase by 40%, this would add £514k to the Housing Services 2012-13 forecast of £486K making a total arrears figure of £1m or 6.7% of the 2013-14 annual rent due based on a 2.25% rent increase.

Scottish Welfare Fund

2.10 The Welfare Reform Act 2012 will abolish community care grants and crisis loans for general living expenses from the 1 April 2013 and devolve the provision of a replacement scheme to the Scottish Government.

2.11 The Scottish Government proposal is for a grant only scheme covering crisis payments and community care grants administered by Councils. The title of the scheme is the “Scottish Welfare Fund”.

2.12 The Scottish Government and COSLA has set-up a joint Design and Implementation Group to produce the guidance to the national scheme. The Council’s Welfare Reform Working Group feeds into this group and also to COSLA’s local government development manager.

2.13 The Benefits Service within Finance and Infrastructure will operate and deliver the scheme on behalf of the Council. The Benefits Service will forge partnership arrangements with other Council services, for example Social Services, Housing Services and Customer Services to ensure applications and payments are processed quickly, and with external organisations for the provision of goods and other services; for example recycling furniture companies and credit unions. A software system to deliver the grant scheme will be procured by the Council and implemented before the 31 March 2013.

2.14 In 2010-11 the DWP received 7,210 crisis loan (living expenses) and 2,800 community care grant applications in respect of North Ayrshire. They awarded 5,270 (73%) loans totalling £283,900 (£53.87 average) and 1,290 (46%) community care grants totalling £683,000 (£529.45 average). Total amount awarded £966,900.

2.15 During the period 1 April 2011 to 30 September 2011 the DWP received 3,390 crisis loan (living expenses) and 1,350 community care grant applications for North Ayrshire. They awarded 2,740 (80%) loans totalling £131,700 (£48.06 average) and 580 (42.9%) community care grants totalling £333,400 (£574.82 average). Figures from October 2011 to date are not yet available. The half year expenditure was £465,100 and if the trend continued it would result in £930,200 being awarded. The majority of community care grants and crisis loans are awarded to families under pressure and for general living expenses respectively.

2.16 Based on the DWP information available the Council is likely to administer around 7,000 crisis grants and 2,700 community care grant application per year and award grants of around the same level previously awarded by the DWP. Demand for grant will require to be managed within available resources.

2.17 The DWP has informed the Scottish Government that the proposed funding to be made available in respect of welfare reform is under three headings;

- Programme funding an indicative £23.795m
- Set-up costs of just under £0.240m
- Running costs of £5m in 2013-14 and falling to just over £4.6m in 2014-15.

2.18 The programme costs and set-up costs are lower than the Scottish Government expected. Further discussions are taking place in respect of set-up costs. The Council's share of the funding has not been confirmed.

2.19 The programme funding will be ring fenced, with separate allocations for crisis payments and community care grants. Discretion to vire between the two elements is proposed. It will be for the Council to decide how the grant will be paid to the applicant; for example cash, voucher or payment in kind.

2.20 The amount of administrative funding provided to the Council will be a factor in deciding the Council's delivery model and the resource required to meet the Scottish Government's processing targets.

2.21 The Scottish Government is aiming to run a poster and leaflet publicity campaign around January 2013 and the working group will link into this communication strategy.

Benefit cap

2.22 The latest DWP scan showed 54 households affected by the benefit cap of £26K, with an average Housing Benefit reduction of £43.19 per week (£2,246 per household per year) and a total benefit reduction of £121,277 per annum. This reduction in benefit may increase rent arrears.

2.23 The Working Group / Housing Services carried out a modelling exercise in May 2012 on a sample of the 169 temporary furnished accommodation and 9 hostel flats to assess the impact of the cap.

2.24 For the purposes of the model the actual weekly rent of £286.58 needed to be reduced to £275.31 to allow the average benefit amount to equal the cap for the single occupancy group (most common group).

2.25 If the model was applied and the actual rent was reduced to £275.31 for 2013-14 then the loss of rental income due to the cap would be £5,724 for hostel accommodation and £99,129 for temporary furnished flats.

2.26 Benefits will be uprated by the consumer price index therefore the rent charge for 2014-15 would need to be reduced further to £271.43 to keep pace with the benefit cap. The loss of rental income would be £7,091 for hostel accommodation and £133,139 for temporary furnished flats.

2.27 The homelessness service is self financed from rental income. Any reduction in rental income will therefore impact on service delivery and hamper the Council's ability to meet its legislative requirements. The modelling exercise suggests that the service provision and / or current rent levels will have to be reviewed to minimise the loss of rental income.

2.28 The DWP has written to each household affected by the cap and support is provided via a national hotline.

Localised Benefit Scheme

2.29 The Scottish Government has confirmed that the council tax benefit scheme will be replaced by a council tax reduction scheme in terms of Section 80 of the Local Government Finance Act 1992 from 1 April 2013.

2.30 The Scottish Government is working on regulations and these are expected to be laid before Parliament in November 2012.

2.31 The regulations will allow the existing council tax benefit application form to be used to award a council tax reduction from 1 April 2013 and this will remove the need for a customer to reapply.

2.32 At present 13.5% of Council Tax revenue is received from council tax benefit. The Scottish Government has confirmed that an existing council tax benefit claimant will be no worse off as at 1 April 2013.

2.33 Software suppliers are concerned about the late delivery of the regulations and the time available to make the necessary changes to their software for annual billing 2013-14. The Welfare Reform Working Group will work with software suppliers to mitigate any risks.

2.34 The Scottish Government has not provided any details regarding the administrative funding to deliver the localised benefit scheme and whether or not funding will be provided for software changes. The Council's software supplier (Northgate) has confirmed that the software costs to replace the council tax benefit scheme will be around £65K.

2.35 The DWP cut 10% from the amount of funding provided to the Scottish Government for the replacement localised benefit scheme. This has created a funding gap of £40m, which will be funded in 2013-14 by the Scottish Government (£23m) and Scottish Councils (£17m). This is only an interim solution and a joint officer group is looking at the options for a sustainable scheme including reducing discounts and the amount of benefit payments. The funding gap of £40m does not take into consideration any increase in council tax benefit caseload during 2013-14 and therefore the funding gap could be higher in real terms. The new scheme will be treated as a reduction in council tax, which means any increase in caseload will result in a loss of council tax income.

Universal Credit

2.36 Draft Universal Credit Regulations are now in place.

2.37 COSLA and the DWP held a joint Universal Credit Business Change Impact Analysis event on the 25 June 2012. The DWP presented a business analysis tool for local authorities to capture the impact of Universal Credit. COSLA has provided the DWP with a summary of the high level impacts and costs on a Scottish Council basis. This analysis will assist the DWP in determining the level of administrative funding will be provided to Local Authorities for 2013/14.

2.38 The DWP has outlined that the role of the LA's under Universal Credit may involve:

- Claimant support
- Budget support
- Support to claimants with complex needs
- Visits
- Assistance with online access

2.39 The migration of Housing Benefit claims to Universal Credit will commence from October 2013 for unemployed claimants resident in 1 of the 4 DWP Districts in Scotland, with the remaining districts following in early 2014. It is not yet known if the West of Scotland District will be an early adopter.

2.40 Universal Credit will be paid direct to the claimant; 6 direct payment demonstration sites including City of Edinburgh and Dunedin Canmore Housing Association commenced in June 2012 and will run for a year. The findings of the sites will be monitored by the Welfare Reform Working Group especially the level of rent arrears that may arise as a result of direct payments.

2.41 There are currently 13,236 council tenants, with 5,613 (42.4%) on full and 2,500 (18.8%) on partial Housing Benefit, and £25.2m of rent income paid direct from Housing Benefit to the rent account. Under Universal Credit the £25.2m or equivalent will be paid direct to the claimants and they will be responsible for paying their rent charge direct to the Council. There is an increased risk of rent arrears and the anticipated level of non-payment of rent is under review by the welfare reform working group.

2.42 A Universal Credit pathfinder will take place in the Greater Manchester and Cheshire area from April 2013 and the Working Group will monitor the findings.

2.43 The UK Government has confirmed that transitional protection will be provided to claimants at the point of change to Universal Credit. Transitional Protection will be applied where the total household Universal Credit entitlement would otherwise be lower than total existing award of benefit and tax credit at the point when they move. Transitional protection will cease if entitlement to Universal Credit ends or there is a change in the claimants circumstances.

Personal Independence Payment (PIP)

2.44 Disability Living Allowance (DLA) for working age claimants will be replaced by a Personal Independence Payment (PIP) from 1 April 2013. At February 2012 £44.3m was paid to 10,505 DLA recipients in North Ayrshire (Pensioner and working age). Only Working age DLA recipients will have their entitlement reviewed when PIP is introduced and the UK Government has forecast that there will be 20% less qualifiers under the new benefit.

2.45 There are 6,445 working age DLA claimants in North Ayrshire with an average annual payment of £4,221 a total of £27.2m. A 20% reduction under PIP would reduce the number of qualifiers by 1,291 to 5,154 resulting in a reduction in benefit of £5.4m. This reduction is likely to result in a loss of income to the Council through Charging for non-residential services. Work is being undertaken to investigate this and the impact of welfare reform on demand for care services.

2.46 DLA acts as a trigger for other benefits such as carers allowance, disability additions and passported benefits, for example Blue Badge. Claimants who do not qualify for PIP will lose these entitlements but may retain other benefits such as Employment Support Allowance, which can increase entitlement. The complex interaction between benefits means that it is difficult to determine what the actual loss in these trigger benefits will be for claimants as losses could range from nil to £121.15 per week. The Working Group will continue to monitor this situation.

2.47 Money Matters Service has started work on the assessment of all Blue Badge applications for the month of September 2012. The purpose is to confirm the outcomes of applications for current DLA recipients and projected outcomes on basis of entitlement to PIP. The project will allow a more informed projection of winners and losers and the amount of benefit / income loss for individuals. The work will also consider the impact on Social Services in relation to assessments for Blue Badge.

Training and communication strategy

2.48 The welfare reform training requirements across Council services has been identified. 206 Council staff require some level of training ranging from general awareness to operational knowledge. The scale of the training means that it cannot be delivered in-house and contact has been made with a number of training providers. Training will take around 48 days to deliver and the cost will be a minimum of £24K but is not expected to exceed £30k.

2.49 The working group has produced a summary of the communication requirements for each of the reforms and these are now being taken forward with the Council's Communications Service. The communication costs are not currently available.

2.50 To date briefings on Welfare Reform have been carried out at Tenants Conferences, North Ayrshire Adult Providers Forum, the Local Housing Strategy Forum, Landlord Forum, presentation to Elected Members and local tenants and resident associations, initial Briefing notes to staff and articles in the Tenants Newsletter.

Data sharing

2.51 The Social Security (Information-sharing in relation to Welfare Services etc.) Regulations 2012 came into effect on the 2 July 2012 and enable the sharing of data for example between council services and between the council and housing associations relating to welfare reforms.

2.52 These Regulations will assist the Council identify people affected by under occupation, the benefit cap and foster and kinship carers for discretionary housing payment purposes.

Passported Benefit

2.53 Social Services (Money Matters) has been working with Independent Living Services on applications for Blue Badges and raising awareness of personal independence payments as a replacement for disability living allowance from 1 April 2013.

2.54 The Welfare Reform Working Group has responded to the Scottish Government's consultation on passported benefit (closing date 28 September 2012).

3. Proposals

3.1 That the Cabinet notes the progress made against the Welfare Reform Action Plan, as set out at appendix A.

4. Implications

Financial Implications

4.1 The financial implications relating to specific welfare reforms are detailed in the sections above.

Human Resource Implications

4.2 Housing Services has identified the need for resource to provide support and guidance to council tenants affected by a reduction in Housing Benefit due to under-occupation.

4.3 Resource will be required to deliver the new community care grant and crisis payment grant scheme. It is also anticipated that there will be an increase in telephone calls and face to face enquiries made to Customer Services. The number of staff required to deliver the scheme will be finalised once the Scottish Government has issued its final scheme guidance, including performance targets, and the amount of data to be extracted from the national application form and manually inserted to the Council's software system is known.

4.4 The migration of housing benefit claims to Universal Credit claims will reduce the current benefit caseload and impact on the number of staff required by the Benefits Service. The Council is still waiting on the DWP to announce the transfer date of the caseload and this will help inform how the benefits service will be delivered from October 2013 to October 2017.

4.5 The resource implications emanating from welfare reform will form part of the budget considerations for 2013-14.

Legal Implications

4.6 None

Equality Implications

4.7 None

Environmental Implications

4.8 None

Implications for Key Priorities

4.9
- 2a1 Percentage of working age population in employment.
- 2a2 Percentage of working age population claiming key benefits.
- 3b1 Number of young people moving into work or further education though training programmes.
- 3b2 Number of Economic Development clients moving into work.
- 3b3 Percentage of Economic Development clients moving into work.
- 4b1 Percentage of school leavers going into employment, education or training.
- 7b2 Percentage of children living in households that are dependent on out of work benefits or Child Tax Credit.

5. Consultations

5.1 The Welfare Reform Working Group was consulted on the action plan.

6. Conclusion

6.1 The Welfare Reform Action Plan is on track and good progress has been made by the Welfare Reform Working Group.

LAURA FRIEL
Corporate Director (Finance and Infrastructure)

Reference :
For further information please contact Stephen Humphries Chief Revenues & Benefits Officer on telephone number 01294 324527

Background Papers
DWP Social Sector Housing under occupation Impact assessment

North Ayrshire Council - Welfare reform working group – work plan

Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
1	April 2010 to April 2014 **Migration of Incapacity Benefit to Employment Support Allowance (ESA)**	Increase of the number of unemployed North Ayrshire residents who are actively seeking work. Current figures show 29 claimants for every vacancy in Jobcentre Plus. Additional resources required to support those with additional barriers to employment.	Review of current Employability activity to assess fit with local labour market needs	Andy Lee	1st April 2012	31st March 2013	Consultancy brief drawn up to evaluate current project / programmes against local economic conditions
			Work with Work Programme providers to ensure support to this group is provided and enhances existing provision	Andy Lee	1st April 2012		Meetings arranged with WP providers to assess local performance, client flow and fit with local programmes
			Examine the availability of additional targeted resources to support this target group	Andy Lee	1st April 2012		Scottish government focus still strongly on Young People but recent events have highlighted the implications of the transfer – SLAED group lobbying for employability to be given a more central role in the welfare reform agenda.

Appendix 1

North Ayrshire Council - Welfare reform working group – work plan

Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
			Ensure the pipeline approach adopted by NAC offers a supported pathway into sustainable employment	Andy Lee	1st April 2012		Delivery ongoing

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Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
2	**The Local Housing Allowance** will be: • calculated using a 30th percentile instead of a median 50th percentile • capped at the 4 bedroom rate; and • £15 excess ends Claimants will receive up to 9 months transitional protection before the change takes effect. LHA rates for 2012-13 will be frozen and then uprated by the Consumer Price Index.	The LHA rates at the 30th percentile are lower than the 50th percentile therefore claimants will receive less LHA once their transitional protection ends. The gap between the rent charged and benefit paid will increase and this may increase rent arrears or result in the tenant having to find alternative accommodation or even become homeless. There may be an increase in discretionary housing payment applications to bridge the gap between the rent charged and benefit paid.	Identify the number of claimants who have had their LHA reduced as a result of the change and the amount of benefit that has been lost.	Linda Walker	Jan 2012		The claimants affected by the change have been identified and the Benefits Service has contacted them regarding the reduction in benefit.
			Monitor the number of discretionary housing payment applications and safeguard applications received from private tenants as a result of the changes.	Linda Walker	1 April 2012		The number of cases are being monitored on a quarterly basis. No increase as a result of welfare reform.
			Work with Housing Services Homelessness Service and monitor the impact the LHA changes are having on the number of private tenants reporting as homeless.	Linda Walker Janeine Barrett	1 April 2012		No increase due to these reforms.

			Work with landlords through the landlord forum and the landlord working group to encourage a reduction in rent charges to sustain tenancies.	Linda Walker	1 April 2012		Welfare Reform update has been provided to the landlord forum.
			Communicate changes to tenants and maintain website	Linda Walker	1 April 2012		Website updated with changes. All tenants and landlord written to and advised of changes. Posters in Cunninghame House and all Housing Offices. Updates given at Landlord Forum.

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Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
3	**January 2012** **Shared accommodation Rates** A single person aged under 35 living in private rented accommodation will have their Local Housing Allowance calculated using a shared bedroom rate instead of a 1 bedroom rate. There are a number of exemptions from the shared room rate.	The shared accommodation rate for Local Housing Allowance calculation purposes is £65.00 compared to the one bedroom rate of £80.77, a reduction of £15.77 per week (April 2012 rates). This change will reduce the benefit of single people under the age of 35 and increase their rent charges. This may result in rent arrears for landlords and could increase levels of homelessness. The number of safeguard applications may increase resulting in beneficial direct payments made to landlords.	Identify the number of single people aged under 35 affected by this change and the amount of benefit that has been lost.	Linda Walker	Jan 2012		The number of people affected and the amount of benefit lost have been identified and claimants written to.
			Notify all single people affected of the change and how it impacts on them and what action they can take. Update website to keep tenants up to date with the change.	Linda Walker	Jan 2012		Website updated with changes. All tenants and landlord written to and advised of changes. Continue to do this monthly. Posters in Cunninghame House and all Housing Offices. Updates given at Landlord Forum.

			Work with Housing Services and RSL's to identify the homeless hostels in the area and provide a list of under 35 year olds to cross check to records to identify any exemption cases. Consider new work procedures to identify new exemption cases as early as possible.	Linda Walker Janeine Barrett	Jan 2012		List provided to Homeless Service on a monthly basis. Any exempt customers are identified and notified to Benefits Service who automatically apply the exemption to their claim.

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Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
4	**1 April 2013** **Benefit cap** The total amount a household can receive in state benefit has been capped at £500 per week for couple and lone parent households and £350 per week for single person households where no children are present. Exclusions do apply. The cap will be administered by the Council until Universal Credit is introduced in October 2013.	The DWP has notified the Council that there are 187 individuals in North Ayrshire affected by the cap. The DWP will be writing to all households concerned. The DWP will provide the Council with regular scans of households affected by the cap. Those households to be capped will have their housing benefit reduced down to the cap. This will increase the amount of rent for the household and may increase rent arrears. The cap has serious implications for the provision of temporary accommodation by Housing Services.	Identify from the DWP scans the number of households affected by the cap in the social and private rented sector and the amount of weekly benefit that will be lost. Maintain baseline indicators.	Linda Walker	May 2012	Now Integrated into normal business until October 2013	Regular scans are being received and the impact is being monitored.
			Benefits Service to work with Housing Services on the implications for tenants of temporary accommodation and council housing.	Linda Walker Janeine Barrett	June 2012	August 2012	Currently as above but will be monitored when each scan is received.
			Benefits to work with RSL's and Private Landlords on the implications of the cap and communicate with the households concerned.				Initial meeting held with Housing Associations on 2 August 2012.
			Agree procedures for notification of future capped households. Maintain the website to provide households with as much information as possible.	Linda Walker	Sept 2012	Dec 2012	Initial discussions have agreed a joint approach.

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Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
5	**Discretionary Housing Payment** funding increased. The Council's allocation for 2012-13 is £95,074. The Council has the discretion to increase this allocation by up to 2.5 times using its own resources provided it is in the interests of the council tax taxpayer. This would increase the funding to £237,685 with £142,611 to be funded by the Council if approved. This is not budgeted for.	The discretionary housing payment provides a temporary solution to claimants to cover part of their housing or council tax costs. This is a limited fund and will only assist in short term solutions. Demand may exceed supply once all the welfare reforms have been implemented. If the Council does not spend close to the £95,074 then it will lose funding in 2013-14 therefore it is important to provide as much support as possible.	Give consideration to how the additional DHP funding will be used and amend the policy.	Stephen Humphries Welfare Reform Working Group	May 2012	Aug 2012	DHP policy produced in response to the Welfare Reform Act 2012
			Council to approve the policy and to consider if it wants to use its discretion to increase the level of funding available for discretionary housing payments by up to 2.5 times.	Stephen Humphries / Linda Walker	Aug 2012	Sept 2012	Report and Policy to be presented to the Cabinet on the 23 October for approval.

North Ayrshire Council - Welfare reform working group – work plan

Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
6	**April 2011 – April 2014** **Non-dependant deductions** Staged increase in the rate of non dependant deductions used in the calculation of benefit. A non dependant is an adult living in the household of people claiming income related benefits who should contribute to the household costs of the accommodation where they live. Standard deductions apply based on the age and financial circumstances of the non-dependant.	At present 1,825 claimants attract a deduction for combined housing benefit and council tax benefit with 406 for council tax benefit only. 938 council tenant HB claims attract a deduction and 481 private rented. The higher the non dependant deduction the less benefit that is awarded. This reform may result in an increase in rent arrears and an increase in homeless presentations due to family tensions. May also result in increased demand on the council's housing waiting list as non dependant choose to leave the household due to increased charges.	Produce baseline information of the number of claims with non-dependant in the household who may be affected by this change.	Marianne McManus/ Linda Walker	April 2012	April 2012	Housing Services provided with a report for customers with deductions 15/03/12. Figures regarding effects of Non dep deductions on NAC properties have been provided. List of cases being monitored by Housing Services and advice and assistance offered to tenants in arrears.

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Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
7	**April 2013** **Reduction in Housing Benefit due to under occupation for social housing tenants** The amount of weekly Housing Benefit is to be reduced by 14% for working age claimants where there is one extra bedroom or 25% for two or more extra bedrooms. A size criterion is being introduced into the calculation of housing benefit for working age social housing tenants (aged under 61). The size criteria will allow one bedroom for:	Will also affect • Separated parents who share the care of their children and who may have been allocated an extra bedroom to reflect this. Benefit rules mean that there must be a designated 'main carer' for children, who receives the extra benefit • Couples who use their 'spare' bedroom when recovering from an illness or operation • Foster carers because foster children are not counted as part of the household for benefit purposes • Parents whose children visit but are not part of the household • Disabled people including people living in adapted or specially designed properties.	Await further Government details regarding the size criteria. Regulations, expected to be published around May 2012.	Linda Walker Marianne McManus	May 2012		Received July 2012.
			Identify household composition for council tenants on benefit and compare to the bedroom criteria.	Linda Walker Marianne McManus	May 2012	June 2012	Potentially 2668 affected tenants. (2118 under occupying by 1 bedroom and 550 under occupying by 2 bedrooms or more)
			Consider if the common housing register can provide information relating to the household composition for all housing associations.	Linda Walker/ Marianne McManus	July 2012	July 2012	No longer required as Northgate will provide a solution in Sep 2012.
			Meet all Housing Associations to discuss household composition for their stock, how to capture this data and load it into the benefit system and how to manage the ongoing process.	Linda Walker Marianne McManus	July 2012	Aug 2012	Met HA's on 2 Aug and advised them of the proposed process to be provided by Northgate.
			Discuss with the Benefits Service how new claims for council tenants and changes to household composition will be managed in the future.	Linda Walker Marianne McManus	July 2012		Will be looked at once further information from Northgate is received.

	• Each adult couple • A single person • Any 2 children under 10 • Two children of the same gender 10 to 15 • Any other child A disabled tenant or partner with a non-resident overnight carer will be allowed an extra bedroom.	This reform may result in the movement of council and RSL tenants to smaller accommodation in the social or private rented sectors. There will be an increased demand for discretionary housing payments. This reform will mean housing providers will need to collect more rent from more tenants for example a person previously on maximum benefit and this may result in an increase in rent arrears and legal action against tenants and ultimately evictions.	Consider if household composition for council tenants not on benefit needs to be / can be captured on the housing system for future reference.	Linda Walker Marianne McManus	July 2012		As above
			Produce baseline data relating to the number of Council and RSL tenants on benefit affected by the change and estimate how much benefit may be lost due to extra bedrooms.	Linda Walker Marianne McManus	July 2012		Maximum Rent at Risk to NAC in 2013/14 is £1.277m. DWP predict 35% of tenants will fall into arrears which could result in additional arrears of £446,000 in 2013/14. Info will be requested from RSL's in September 2012.
			Use the baseline data to consider the potential movement of households from social housing to private rented accommodation and work with landlords to minimise impact.	Marianne McManus Linda Walker RSLs	August 2012	Sept 2012	The baseline data has been compiled discussions held with landlords about the availability of accommodation.
			Review the Discretionary Housing Payment Policy in line with under occupation findings. DHP ring fenced for disabled people and foster carers and obtain executive approval.	Marianne McManus Linda Walker Stephen Humphries	Sept 2012	Oct 2012	Report and Policy to be presented to the Cabinet on the 23 October for approval.
			Review impact on Arrears Policy	Marianne McManus Linda Walker	Dec 12	Dec 12	

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			Review impact on Lodger Policy	Marianne McManus	Nov 2012	Nov 2012	
			Review impact on Allocation Policy	Carol Nelson	Dec 2012	Dec 2012	Impact on Allocation Policy being reviewed by Common Housing Register Working Group
			Review impact of changes on Housing Business Plan	Marianne McManus/Alex Adrain & Business Planning Working Group	July 2012	Dec 2012	Review commenced and initial meeting held – info being gathered to allow remodelling of Business Plan

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Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
8	**April 2013** **Social Fund** Payment of Community Care Grants and Crisis Loans has been devolved from the DWP to the Scottish Government. The Scottish Government is responsible for determining and funding the replacement scheme. Councils' will administer the replacement scheme and funding is expected to be £24m for Scotland.	Demand for a grant may exceed funding and there may be an increase in appeals for payments. The Council's resource may need to increase to administer a grant scheme. Assessment of the Service design requirements will be required in relation to new responsibilities and activities Decisions required by the Council on the administration of community care grants and crisis loans. A new software system may be required to administer community care grants and crisis loans.	Compile baseline details of the number of applications made, accepted, rejected and appealed for community care grants and crisis loans in the North Ayrshire area.	Stephen Humphries	May 2012	June 2012	NAC caseload estimated at 7,000 crisis payments and 2,700 community care grants with expenditure of around £948K.
			Contact Social Services and Housing Services to identify what the current level of interaction is with people who receive community care grants and crisis loans and to develop corporately how a new scheme may be delivered.	Stephen Humphries	June 2012		Aug - Meetings held with Housing and Social Services to discuss service delivery and these will continue as more guidance is received from the Scottish Govt.
			Assess the resource implications and options for service delivery.	Stephen Humphries	TBC		The benefits service to deliver the scheme
			Assess and make proposals on service design options for a local Social Fund scheme that meets the needs of the vulnerable claimants and obtain Cabinet approval.	Stephen Humphries	June 2012	Jan 2013	A new software system will be procured by the Council. The Scottish Government

							will provide set-up costs Software suppliers are waiting on the Scottish Government guidance to design their system.
			Implement local Social Fund scheme	Stephen Humphries	1 April 2013		The working group is on track to achieve this.

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Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
9	**April 2013** **Introduction of Personal independence payment (PIP) – replacement for disability living allowance** **April 2013 to 2016** Migration of existing claims. **October 2013** – New claims for PIP **2016** Move from DLA to PIP	New claimants aged 16 to 65 will claim PIP under the new rules – many will be unaware of rules and claims process. Expectation that fewer awards / lower awards will be made. 20% reduction in spending anticipated and impact on other "trigger" benefits. May lead to increase in appeals New qualifying period and points based assessment may delay award or reduce chance of success. This will impact on 16 to 24 year olds with special circumstances and changing educational / training arrangements for 16+ and those with special needs. It can be difficult for young people and families to access information about transition and how to challenge assessment.	Awareness raising and information for appropriate local authority staff and partners – Health, advice agencies, frontline disability services, etc.	Isobel Kelly	Sept 2012 if regs available	April 2013	
			Provide information, advice and support including appeals to vulnerable / all existing claimants' on migration process, on line claim process and new rules and impact on trigger benefits.	Isobel Kelly	Sept 2012	March 2013	
			Research general rules of entitlement and the assessment / scoring framework and provide training for advice staff.	Isobel Kelly	Sept 2012	Ongoing	
			Raise general awareness by targeting – stroke unit, Social Services care assessors / managers, Macmillan services, and health colleagues.	Isobel Kelly	Sept 2012		
			Engage with Education / Health and Social Services staff who support young people with disability.	Isobel Kelly Laura Cook	April 2015	March 2016	

			Ensure early information about transition and predictability of future entitlement, including other benefits which are related to disability entitlement.	Isobel Kelly	April 2015	March 2016	

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Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
10	**April 2013** **Single Fraud Investigation Service** The DWP is setting up a UK single fraud investigation service (SFIS). This will combine the fraud activity currently carried out by the DWP, Local Authorities and HMRC. The start date of the SFIS is 1 April 2013 and LA investigation staff will remain employed by the Council and operate under SFIS powers until the situation is reviewed in 2015.	The creation of a single fraud investigation service (SFIS) will harmonise the investigation of benefit fraud under the one organisation. The SFIS will change the responsibilities and the powers of the Council's benefit investigation team from 1 April 2013. The amount of DWP funding to be provided to the Council to operate under SFIS powers is unknown. The future of the Council's fraud investigation service is unknown and this will impact on staff resources.	Keep the benefits investigation team fully informed of any changes.	Stephen Humphries	March 2012	April 2015	10 Aug - Staff have been kept fully up to date on any developments
			Revise the policies and procedures of the benefits investigation team once the SFIS powers and access to software systems are known.	Stephen Humphries	Once DWP provide regs and guidance	April 2013	10 Aug - Response provided to the DWP Business design models in May but no feedback received as yet.
			Assess the impact the funding provided by the DWP for operating the SFIS will have on the current level of resource involved in benefit investigations.	Stephen Humphries	Once DWP confirm the funding	April 2013	10 Aug- no details of funding received yet.
			Arrange for the training of the benefits investigation staff on SFIS powers with the DWP.	Stephen Humphries	April 2012	April 2013	Staff have registered for DWP courses.

North Ayrshire Council - Welfare reform working group – work plan

Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer	Start date	Completion date	Progress
11	**October 2013 to April 2017** **Universal Credit** Housing Benefit will be abolished from around October 2013. New claims and changes in circumstance will migrate to Universal Credit. Universal Credit will combine Income Support, Jobseekers Allowance, Employment Support Allowance and Working Tax Credit and Child Tax Credit for working age claimants. Universal Credit	The Council has an important role to play during the migration period to Universal Credit by shifting claimants to on-line claims. The level of funding for this is currently unknown. Direct payment of Universal Credit will increase rent arrears. The migration of benefit claims will impact on the staffing resources required to administer benefit and the financial funding received by the Council.	Review potential impact of Housing Revenue Account Business Plan:- • Meeting SHQS • Rent Restructure Council House Building	Marianne McManus/ Business Plan Working group	Oct 2012	April 2017	Aug 12 – 5613 tenants on full HB and 2500 on partial £25.2 million of rent income is from HB paid direct to the Council. The estimated rent at risk due to non- payment of rent is currently being reviewed
			Give consideration to the resources, organisational structure and access points required to underpin the delivery of the Universal Credit migration role and the take-up of electronic claims for example libraries. Including a review of resource requirements needed to reflect growth in tenants receiving Universal Credit.	Stephen Humphries	April 2013	October 2013	Universal Credit Regulation now in place. Demonstration sites and pilots set up across the UK to test Universal Credit these will inform the service moving forward.

	will include a housing element to cover rent charges and it will be paid direct to the claimant. Pension Credit will also include a housing element.		Introduce a new organisational structure into Benefits to meet the requirements of the new service.	Stephen Humphries	April 2013	September 2013	
			Benefit Service to manage the migration of Housing Benefit claims to the DWP from October 2013 onwards.	Stephen Humphries	August 2013	April 2017	

North Ayrshire Council - Welfare reform working group – work plan

Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer			
12	**April 2013 and October 2013** **Passported Benefit** The introduction of Personal Independence Payment from 1 April 2013 and Universal Credit from October 2013 will change the current rules relating to passported benefit.	Changes to the rules on passported benefit will impact on customers in receipt of free school meals, clothing grants, blue badges and education maintenance allowance. The Council awarded 6,427 footwear and clothing grants and 4,689 free school meals in 2011-12 and paid out 667 education maintenance allowances from 811 applications.	Consider with Education, Social Services and the Registration Service what new procedures and application forms need to be introduced to verify an application for a free school meal, clothing grant, blue badge and education maintenance allowance under Universal Credit.	Linda Walker	Once rules have been agreed.	31 March 2013	The working group is responding to the Scottish Government consultation on passported benefit – deadline 28 September 2012.

North Ayrshire Council - Welfare reform working group – work plan

Change Number	Date of reform & change description	Impact Assessment	Key Actions Required	Lead Officer			
13	**April 2013** **Localised Benefit Scheme** The Council Tax Benefit scheme will be abolished from 1 April 2013. It is to be replaced by a localised scheme administered by local authorities. For 2013-14 the Scottish Government (£23m) and Local Authorities (£17m) will fund the £40m funding gap. This means that no one will be worse off at 1 April 2013.	The DWP has confirmed that funding for localised benefit schemes will be reduced by 10%. This equates to around £1.2m (2011-12) for the Council and £40m across Scotland. The localised schemes in England / Wales protect pensioners and vulnerable groups. It is not known if the Scottish scheme will offer the same level of protection. If it does then the benefit reduction will affect working age people. Any change to current levels of council tax benefit support may increase the amount of debt to be collected and may affect council tax collection levels.	Continue to provide data and comments to officer working groups on the service design options for a replacement Council Tax Benefit scheme.	Stephen Humphries	As required	March 2014	10 Aug – attended software supplier groups / Scottish Govt meetings on new Scheme. For 2013-14 anyone on CTB at 31 March will receive the same support in 2013-14 but this will be called a council tax reduction not a benefit.
			Implement the interim localised benefit scheme for 2013-14 including the design of application forms and communication strategy for claimants.	Stephen Humphries	Oct 2012	April 2013	10 Aug - Regulations are being developed by the Scottish Govt and expected to be laid with Parliament in November.

			Review the benefits organisational structure to deliver the long-term localised benefit scheme.	Stephen Humphries	Jan 2014	April 2014	

North Ayrshire Council - Welfare reform working group – work plan

Overarching Welfare Reform issues

Issue	Action required	Lead officer	Start date	Completion date	Progress to date	Other comments
Communication Strategy	Welfare Reform to be communicated to all Council staff and the general public and partners to raise awareness of all welfare reforms.	Welfare Reform Working Group	June 2012	August 2012	Meeting held with Communication Manager to discuss the communication strategy produced by the working group. Communication section attended the Aug working group meeting and this is being taken forward.	Strategy to cover all reforms and timed for maximum impact.
Training Strategy	All Council staff affected by the reforms to be trained to ensure that the general public receive the correct advice, guidance and support. Benefits staff to develop new skills to sustain future employment.	Welfare Reform Working Group	June 2012	August 2012	The working group has produced a training summary in terms of courses required and the number of people to be trained. A number of organisations have been contacted for an estimated cost for delivering the training programme.	
Consultation papers	Respond to all consultation papers regarding Welfare Reform	Welfare Reform Working Group	As required		Social Fund Single Fraud Investigation Service Consultations complete Aug 2012	

North Ayrshire Council - Welfare reform working group – work plan

					DHP Passported Benefit Consultations complete Sept 2012	
Information Technology development	Consult with software suppliers on system developments to ensure all reforms are implemented.	Stephen Humphries – Northgate Welfare Reform Working Group – other service systems	As required		Northgate has introduced changes for local housing allowance, non-dependants, under 35's. Systems up to date with reforms	Council represented at Northgate Scottish User Group meeting
Financial Inclusion & Income maximisation	Provide general budgeting and money advice to claimants and encourage direct payments of rent Need for specialist advice to support tenants with opening bank accounts and increased liaison with credit unions.	Isobel Kelly Laura Cook Stephen Humphries Marianne McManus	August 2012	October 2013	The working group will hold discussions with the credit unions and other providers of banking services to ensure the impact of direct payment of universal credit is minimised.	

North Ayrshire Council - Welfare reform working group – work plan

Issue	Action required	Lead officer	Start date	Completion date	Progress to date	Other comments
Council's Charging Policy	Review of the Council's charging policy as a result of the Welfare Reforms	Isobel Kelly	Dec 2012			

NORTH AYRSHIRE COUNCIL

Agenda Item 4

23 October 2012

Cabinet

Subject:	**Discretionary Housing Payment policy**
Purpose:	To request the Cabinet's approval of the Discretionary Housing Payment policy as set out at Appendix 1.
Recommendation:	That Cabinet approves the Discretionary Housing Payment Policy as set out at Appendix 1.

1. Introduction

1.1 The Council has discretion under Section 2(1) of the Discretionary Financial Assistance Regulations 2001 to provide financial assistance (discretionary housing payment) to persons who:

(a) are entitled to housing benefit or council tax benefit or to both; and

(b) appear to such an authority to require some further financial assistance (in addition to the benefit or benefits to which they are entitled) in order to meet housing costs.

2. Current Position

2.1 The Benefits Service administers the Discretionary Housing Payment scheme (DHP).

2.2 A DHP is paid in addition to a claimant's Housing Benefit and Council Tax Benefit entitlement and is for claimants suffering financial hardship and who need help in meeting their housing costs.

2.3 Housing costs are not defined in the Regulations but the current interpretation is a claimant's eligible rent and council tax liability.

2.4 Each DHP application is considered on its own merit and the amount and the period of the award are based on the circumstances of the claimant.

2.5 The Welfare Reform Act 2012 has introduced a range of reforms including a benefit cap, a reduction in housing benefit for under-occupation in social housing and Universal Credit, which will impact on the Discretionary Housing Payment scheme.

2.6 A Discretionary Housing Payment Policy has been produced in response to the Welfare Reform Act 2012 and this is set out at Appendix 1. The policy incorporates the Department for Work and Pensions DHP good practice guidance manual.

2.7 The key aims of the DHP policy are to prevent hardship and to protect families and vulnerable people by sustaining tenancies and to prevent homelessness.

2.8 The Department for Work and Pensions (DWP) increased its UK DHP baseline funding of £20m by £40m in 2012-13 to cover welfare reforms in the private rented sector. In 2012-13 the Council received DWP funding of £95,074, which together with carry forward of £2,873 from 2011-12 results in total funding of £97,947. At the end of quarter 1 for 2012-13 the Benefits Service had received 137 DHP applications and 119 awards were made totalling £15,288. The Benefits Service is working with other Council Services and external partners to maximise the take-up of discretionary housing payments.

2.9 From April 2013 the DWP will increase funding by a further £30m to cover under-occupation in social housing and a further £75m for the benefit cap. The Council will be advised of its allocation at a future date. The DWP expects the Council to prioritise its share of the additional £30m funding for under-occupation towards two specific groups:

(i) disabled people living in significantly adapted accommodation including any adaptations made for disabled children;

(ii) foster carers, whose housing benefit is reduced because of a bedroom being used by, or kept free for, foster children.

2.10 The number of properties adapted to meet the needs of a disabled person is currently being identified. Social Services currently support 62 foster carers and 122 kinship carers throughout North Ayrshire. From which, 7 foster carers and 56 kinship carers are in receipt of Housing Benefit respectively.

2.11 It is anticipated that the Welfare Reforms will significantly increase the demand for discretionary housing payments from April 2013. Some examples of this are noted below.

2.12 2,668 Council tenants currently under occupy their property. It is anticipated that housing benefit for these tenants will reduce by £1.277m per annum. Tenants may not be able to meet this shortfall and this may increase rent arrears.

2.13 The latest information received from the DWP indicates that 54 households will be affected by the benefit cap with an average reduction in housing benefit of £43.19 per week (£0.121m per annum).

2.14 Based on these figures the amount of expenditure on DHPs is expected to exceed DWP funding.

2.15 The Government sets a total financial limit of 2.5 times the DHP funding with the Council requiring to meet the difference from its own funds. This can be considered as part of the budget considerations for 2013/14.

2.16 It should be noted that the General Fund cannot be used to directly finance rent arrears.

3. Proposals

3.1 Cabinet is requested to approve the Discretionary Housing Payment policy as set out in Appendix 1.

4. Implications

Financial Implications

4.1 The financial implications are detailed within paragraphs 2.8 to 2.12 above. Any additional funding from North Ayrshire Council to meet anticipated demand can be considered as part of the budget process for 2013/14 and future years.

Human Resource Implications

4.2 None

Legal Implications

4.3 None

Equality Implications

4.4 None

Environmental Implications

4.5 None

Implications for Key Priorities

4.6 The DHP policy will support the following outcomes:

6d More vulnerable people are supported within their own communities
7a Levels of homelessness have reduced.

5. Consultations

5.1 Housing Services have been consulted on the policy.

6. Conclusion

6.1 Approval of the DHP policy will provide the Benefits Service with the direction it requires to deliver the DHP scheme and ensure that the Council is responding to the impact of the Welfare Reform Act 2012.

LAURA FRIEL
Corporate Director (Finance and Infrastructure)

Reference :
For further information please contact Stephen Humphries, Chief Revenues & Benefits Officer on 01294 324527

Background Papers
Department for Work & Pensions Discretionary Housing Payment Guidance Manual

North Ayrshire Council
Discretionary Housing Payment Policy

1 Introduction

1.1 Section 2(1) of the Discretionary Financial Assistance Regulations 2001 provides the Council with the discretion to make payments by way of financial assistance ("discretionary housing payments") to persons who—

(a) are entitled to housing benefit or council tax benefit or to both; and

(b) appear to such an authority to require some further financial assistance (in addition to the benefit or benefits to which they are entitled) in order to meet housing costs.

(2) Subject to paragraph (3) and regulations 4 and 5, a relevant authority has a discretion:

(a) as to whether or not to make discretionary housing payments in a particular case; and

(b) as to the amount of the payments and the period for, or in respect of which, they are made.

2 Cash limited funding

2.1 The Council will maximise its expenditure of the annual cash limited funding received from the Department for Work and Pension in respect of Discretionary Housing Payments (DHP). The Council may decide on an annual basis to increase the amount of DHP funding by up to 2.5 times the Government level from the General Fund.

2.2 A customer must be in receipt of Housing Benefit, Universal Credit or Council Tax Benefit (or replacement scheme) to be considered for, and receive payment of a DHP.

2.3 Demand for DHP may exceed supply but the Council is not legally permitted to exceed the cash limited funding levels.

3. Policy aims and objectives

3.1. To distribute equitably the DHP funding to benefit claimants that meet the qualifying criteria, and to promote the following Council objectives:

- Prevention of homelessness
- Sustain tenancies and safeguard residents in their homes
- Assist households move into more affordable accommodation
- Alleviate poverty
- Prevent hardship
- Support vulnerable young people in the transition to adult life
- Encourage residents to seek and sustain employment
- Help those who are trying to help themselves
- Keep families together
- Support the vulnerable in the local community
- Help claimants through personal crises and difficult events.

3.2. In particular the Council wishes to support the following groups of people to remain in their current property, or local area:

- Families with children at a critical point in their education
- Young people leaving the Council's care
- People who would suffer a significant reduction in their quality of life if they had to leave the local area
- People who have been previously homeless
- People subject to domestic violence
- People temporarily absent from their home
- People with a disability or in need of care
- Foster carers & kinship carers
- People moving into work or undertaking employment related training
- People moving into affordable accommodation
- Large families with no suitable alternative accommodation

3.3. To ensure as far as possible all customers are made aware of the availability of discretionary housing payments.

3.4. To ensure that all agencies supporting customers are made aware of the funding available and how it can be utilised to support their client group.

4. Exempt from DHP

4.1 DHP will not be paid to a claimant under the following circumstances:

- Where a tenancy was not affordable when taken on.
- When benefit fraud has been committed.
- To reduce water and wastewater charges.
- Where a council tax second adult rebate is in place.
- Where a benefit in payment is subject to a reduction direction, sanction or suspension.
- Services charges which are ineligible for Housing Benefit.
- Where rent charges have increased due to outstanding levels of rent arrears.

5. Level and period of award

5.1 An application must be made to receive a DHP.

5.2 The level and period of award will be based on the individual circumstances of the applicant.

5.3 In the case of a shortfall the amount of DHP will not exceed the weekly eligible rent or the total council tax liability of the applicant.

5.4 In the case of lump sum payments no period will apply but due regard will be given to the DHP funding available.

5.5 Payment may be made to the applicant, agent, appointee, and landlord or directly into the rent account or council tax account, as required.

5.6 Payment of a DHP will stop if an applicant fails to disclose a material fact or obtained the funds under false pretences or the payment was made in error.

5.7 The level and period of award will be reviewed if there is a change in the circumstances of the applicant.

6. Recovery of overpaid DHP

6.1 The Council will recover all overpaid Discretionary Housing Payment.

7. The Right of Review

7.1 There is no statutory right of appeal against a DHP. The applicant (or their appointee or agent) who disagrees with a DHP decision may request the Benefits Service for a review of that decision.

7.2 A request for a review must be made in writing to the Benefits Service within one calendar month of the written decision about the DHP being issued to the benefit claimant.

7.3 An officer from the Benefits Service who was not involved in the original decision will consider the request for a review.

7.4 The reviewing officer will notify the customer of their decision, which will be final and there will be no further right of review by the Council.

7.5 Dissatisfied customers may request a judicial review.

8. Policy review

8.1 The Council's DHP policy will be reviewed annually by the Chief Revenues & Benefits Officer and the Cabinet will be asked to approve any material changes.

NORTH AYRSHIRE COUNCIL

Agenda Item 5

23 October 2012

Cabinet

Subject:	**Procurement Reform Bill - Consultation**
Purpose:	To seek approval from the Cabinet on the Council's response to the Scottish Government consultation on the proposed Procurement Reform Bill.
Recommendation:	That the Cabinet agrees to (a) note the key proposals from the Scottish Government's consultation as contained in Appendix 1; (b) approve the proposed response from the Council to the 51 questions posed in the paper as detailed in Appendix 2; and (c) note the implications for the Council contained within the paper.

1. Introduction

1.1 The Procurement Reform Bill was issued by the Scottish Government for consultation on 10 August 2012.

1.2 It proposes new laws designed to improve the way the public sector buys goods, works and services.

1.3 The Bill will ensure public contracts do more to boost jobs, apprenticeships and the Scottish economy.

1.4 The Bill will also explore expanding the use of community benefit clauses in higher value contracts, helping to promote training, apprenticeships and opportunities for the disabled and long-term unemployed and helping to ensure that procurement spending creates training and employment opportunities, especially for younger people.

2. Current Position

2.1 The Scottish Government remains focused on using procurement as a lever for economic growth, streamlining the public sector's dealings with business, and adopting more efficient procurement practices that encourage competition and secure best value.

2.2 The proposed aims of the Procurement Reform Bill are to

- ensure public procurement processes are transparent, streamlined, proportionate, standardised and business-friendly
- make it easier for business, particularly newer businesses, SMEs and the third sector, to access public contract opportunities and sub-contracting requirements
- ensure smarter use of public procurement to encourage innovation and growth
- taking account of Social and Environmental sustainability issues through public procurement
- deal with inappropriate conduct and poor performing suppliers
- ensure application and compliance

2.3 The Scottish Government are also using the consultation on the Bill as an opportunity to consult on matters concerning the living wage and its relationship with public sector procurement.

2.4 This consultation is an opportunity for North Ayrshire Council to contribute to and shape the Procurement Reform Bill. A summary of the consultation document is enclosed at Appendix 1.

2.5 North Ayrshire Council are currently complying with the majority of practices contained within the Procurement Reform Bill with the exception of requiring suppliers to pay their employees the living wage.

The full consultation paper is available to view at www.scotland.gov.uk/publications/2012/08/3295

2.6 Responses to this consultation paper are required to be submitted by Friday 2 November 2012.

3. Proposals

3.1 The Councils proposed response to the Consultation is contained in Appendix 2.

4. Implications

Financial Implications

4.1 The consultation document seeks views on the promotion of the living wage for all public sector contracts. It is anticipated that if all contractors implemented the living wage this would result in additional costs to the Council.

Human Resource Implications

4.2 None

Legal Implications

4.3 None

Equality Implications

4.4 None

Environmental Implications

4.5 None

Implications for Key Priorities

4.6 15b Public services are more efficient and effective.

5. Consultations

5.1 The Corporate Procurement Manager's recommended response to the Consultation was circulated to the CMT for comment.

5.2 The response to the Consultation included in Appendix 2 reflects the comments from the CMT.

6. Conclusion

6.1 The Cabinet is asked to approve the proposed response from the Council to the 51 questions posed in the paper as detailed in Appendix 2.

LAURA FRIEL
Corporate Director (Finance and Infrastructure)

Reference :
For further information please contact Thomas Reaney, Corporate Procurement Manager on telephone number 01294 324097

Background Papers
None

Procurement Reform Bill – Summary

Purpose

The purpose of the Procurement Reform Bill is to establish a national legislative framework for sustainable public procurement that supports Scotland's economic growth by delivering economic, social and environmental benefits, supporting innovation and promoting processes and systems which are transparent, streamlined, standardised, proportionate, fair and business-friendly.

Scope

A summary of the seven key themes of the Bill are detailed below:

Public Procurement Processes are transparent, streamlined, proportionate, standardised and business friendly

Standardising the prequalification process for public contracts and provision of debrief information.

Prohibiting charges being levied for the issue of tender documents.

Making it easier to do business, particularly new businesses/ SMEs and Third Sector organisations to access public contract opportunities and sub-contracting requirements

General duty to consider and act to facilitate access to contract opportunities by newer businesses, SMEs and the Third Sector.

Mandatory publication of contract documentation and subcontracting opportunities.

Smarter use of public procurement to encourage innovation and growth

Permitting the submission of variant bids.

Taking account of social and environmental sustainability issues through public procurement

Using major public contracts to promote jobs and training opportunities through community benefit in procurement clauses.

Assisting supported businesses.

Dealing with inappropriate conduct and poor performing suppliers

Should contractors that fail to adhere to appropriate standards of conduct, ethics and performance be excluded from competing for public contracts?

Application and compliance

How do we ensure compliance with the Bill?

Living Wage

Should procurement activity be used to encourage contractors to pay the living wage to employees engaged on public contracts.

The Scottish Government
Riaghaltas na h-Alba

Procurement Reform Bill Consultation

Respondent Information Form

Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

NORTH AYRSHIRE COUNCIL

Title **Mr** √ **Ms** ☐ **Mrs** ☐ **Miss** ☐ **Dr** ☐ Please tick as appropriate

Surname

REANEY

Forename

THOMAS

2. Postal Address

NORTH AYRSHIRE COUNCIL		
CUNNINGHAME HOUSE		
FRIARS CROFT		
IRVINE		
Postcode KA12 8EE	Phone 01294 324097	Email **treaney@north-ayrshire.gov.uk**

3. Type of respondent

Please tick appropriate box

Executive Agencies and NDPBs	☐
Local authority	√
NHS	☐
Other statutory organisation	☐
Representative body for private sector organisations	☐
Representative body for third sector/equality organisations	☐
Representative body for community organisations	☐
Representative body for professionals	☐
Private sector organisation	☐
Third sector/equality organisation	☐
Community group	☐
Academic	☐
Individual	☐

If other please specify

4. Permissions – I am responding as…

Individual	/	Group/Organisation
☐	Please tick as appropriate	√

(a) Do you agree to your response being made available to the public (in Scottish Government library and/or on the Scottish Government website)?

Please tick as appropriate

☐ **Yes** ☐ **No**

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis

Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

(c) The name and address of your organisation **will be** made available to the public (in the Scottish Government library and/or on the Scottish Government website).

Are you content for your **response** to be made available?

Please tick as appropriate

√ **Yes** ☐ **No**

(d) We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

Please tick as appropriate √ **Yes** ☐ **No**

CONSULTATION QUESTIONNAIRE

AIM OF THE BILL

Q1. Do you agree with the proposed aim of the Bill?

Yes √ No ☐ Don't know/No view ☐

– If you do not agree with the proposed aim, why not?

North Ayrshire Council support the principle of ensuring procurement is more transparent, consistent, sustainable and business friendly. The Council also support measures to ensure a level playing field for SMEs and the encouragement of bids from the Third Sector and Supported Businesses.

PART I: PUBLIC PROCUREMENT PROCESSES ARE TRANSPARENT, STREAMLINED, PROPORTIONATE, STANDARDISED AND BUSINESS-FRIENDLY

Q2. Should we place upon public sector bodies a general duty to conduct procurement in an effective, transparent and proportionate manner?

Yes √ No ☐ Don't know/No view ☐

If yes to Q2 –

a) To support this general duty and other requirements being proposed for public bodies, would it be appropriate for public bodies to be required to publish annual strategic procurement plans?

Yes √ No ☐ Don't know/No view ☐

Q3. Should public sector bodies be required to use a specified standard pre-qualification system?

Yes √ No ☐ Don't know/No view ☐

Q4. Should the Bill be used to require public bodies to observe limits on minimum standards?

Yes √ No ☐ Don't know/No view ☐

If yes to Q4 –

a) Should the annual turnover requirement be limited to no more than three times the annual contract value?

Yes √ No ☐ Don't know/No view ☐

Q5. Should the Bill require public bodies to provide de-brief information to suppliers which bid for public contracts in Scotland in situations not covered by the 2012 regulations?

Yes √ No ☐ Don't know/No view ☐

If yes to Q5 –

a) In what circumstances should public bodies be required to provide de-brief information – to all suppliers which bid or only to suppliers which submit a written request for such information?

To all suppliers who submit a tender.

b) Should any requirement apply only to contracts of a certain value, for example contracts above £50k?

Yes No √ Don't know/No view ☐

c) What de-brief information should public bodies provide to suppliers? Should suppliers be given an option to receive information in writing or face to face?

In writing initially but, if more information required, a face to face meeting. The initial letter should explain the merits of their tender, in terms of price and quality, against the merits of the successful tender.

d) What timescales should apply?

Within 28 days

e) Should exemptions apply?

Yes ☐ No √ Don't know/No view ☐

– If yes, what exemptions should apply?

No exemptions should apply, all bidders should be treated the same.

f) What are the potential costs/benefits?

The potential costs are resource costs to provide the information. However there may be significant benefits such as cost reductions through better competition.

g) Should there be separate limits for construction?

Yes ☐ No √ Don't know/No view ☐

– If yes, what limits should apply?

No, construction tenders should be treated the same as all other bids.

Q6. Should the Bill prohibit charges being levied for the issue of tender documents to tenderers?

Yes √ No ☐ Don't know/No view ☐

Q7. How could any new arrangements outlined in Part I be fully enforced?

Legislate for standard documentation and the right to receive a debrief.

Q8. Please use this space to give reasons for your responses or if you have any further comments on the proposals in Part I. Please also use this space to give your thoughts on any definitions or potential impacts you would like us to consider in relation to this part of the Bill.

North Ayrshire Council support the aims of the Bill to standardise documentation, ensure proportionality in financial standing evaluations and debrief all suppliers who submit a bid.

PART II: Making it easier for business, particularly newer businesses, SMEs and Third Sector organisations, to access public contract opportunities and sub-contracting requirements

Q9. Should the Bill include a general duty on public bodies to consider, for each and every requirement, how the specification of requirements may impact on the ability of newer businesses, SMEs and Third Sector organisations to compete?

Yes √ No ☐ Don't know/No view ☐

Q10. How, in conducting the procurement process, might public bodies act to facilitate access by newer businesses, SMEs and Third Sector organisations?

Advertising in Public Contracts Scotland portal, carry out a risk assessment on minimum standards (particularly relating to annual accounts) and publish tender plans.

Q11. What in your view are the potential costs/benefits associated with such a duty?

There are no potential costs, potential benefits are more competition, better quality and reduced costs.

Q12. How could such a duty be enforced?

Ensure use of National Advertising Portal is a statutory requirement and define minimum standards.

Q13. Do you agree that public sector bodies should be required to use a single specified online portal to advertise and award all contracts?

Yes √ No ☐ Don't know/No view ☐

If yes to Q13 –

a) What level do you think the threshold should be set for:

- goods and services contracts
- works contracts.

£30,000 exclusive of VAT, anything less would be disproportionate and may have a negative impact on SMEs.

Q14. Should the Bill place a duty on public bodies to publish contract documentation?

Yes ☐ No ☐ Don't know/No view √

Q15. What do you see as the advantages/disadvantages to requiring that public bodies publish contract documentation?

Advantages would be transparency, share best practice.
Disadvantages would be that bidders could copy successful companies tenders therefore making it difficult to evaluate future bids if they were very similar in content.

Q16. What are the resource implications for buyers/suppliers if commercially sensitive information had to be removed from every contract prior to publication?

Unable to put a figure on this at present but could be resource intensive redacting information from bids. Legal advice may also be required at times.

Q17. Could a requirement to publish contract documentation[1] inhibit competition by deterring suppliers from bidding for public contracts, and subsequently have a detrimental effect on the value for money achieved on behalf of taxpayers?

Yes√ No ☐ Don't know/No view

Q18. Would the publication of contract registers by public bodies be a better alternative to publishing full contract documentation?

Yes √ No ☐ Don't know/No view ☐

Q19. Would publication of contract documentation lead to greater transparency in the procurement process?

Yes √ No ☐ Don't know/No view ☐

Q20. Would publication of contract documentation improve value for money by ensuring that public bodies took greater care to ensure that contracts are of a high standard?

Yes ☐ No √ Don't know/No view ☐

Q21. Should all "major contracts" be defined as one which is a public contract as defined by the EU procurement Directives and has a total estimated value over the contract duration that matches or exceeds the threshold applicable to public works contracts as defined by the EU public procurement Directive (currently £4.3m)?

Yes √ No ☐ Don't know/No view ☐

Q22. Should the Bill place a duty on those in receipt of major contracts to advertise sub-contract opportunities on a single specified online portal?

Yes √ No ☐ Don't know/No view ☐

If yes to Q22 –

a) Should the duty extend to all contractors through the supply chain to do the same?

Yes ☐ No √ Don't know/No view ☐

Q23. Are there other ways in which the Bill could achieve the desired policy objective (making it easier for SMEs and Third Sector organisations to access and compete effectively for contracts)?

Consideration should be given to the lotting of major contracts to encourage SMEs, Third Sector to bid.

Q24. How could any new arrangements outlined in Part II be fully enforced?

Legislate that all major contracts must also advertise for main sub contracts.

[1] The documentation between the public body and the supplier that form the contract

Q25. Please use this space to give reasons for your responses or if you have any further comments on the proposals in Part II. Please also use this space to give your thoughts on any definitions or potential impacts you would like us to consider in relation to this part of the Bill.

Whilst we support the proposal to advertise main sub contracts we do not support this for all subsequent supply chain contracts. This could have a negative impact on the timescale for delivering major contracts with time delays for advertising all supply chain contracts. Many sub contractors will already have their supply chain partners in place.

PART III: SMARTER USE OF PUBLIC PROCUREMENT TO ENCOURAGE INNOVATION AND GROWTH

Q26. How could the Bill help businesses develop and commercialise new or novel goods, services and works for internal and international markets?

Consider the use of variant bids or innovative bids as standard practice.

Q27. Do you support our proposals to stimulate new businesses opportunities and inward investment in facilities to provide new, sustainable products and services for the public sector?

Yes √ No ☐ Don't know/No view ☐

Q28. Should the Procurement Reform Bill make it a requirement that purchasers must permit the submission of variant bids?

Yes √ No ☐ Don't know/No view ☐

Q29. How could any new arrangements outlined in Part III be fully enforced?

Place a variant bids/innovation clause in standard documentation.

Q30. Please use this space to give reasons for your responses or if you have any further comments on the proposals in Part III. Please also use this space to give your thoughts on any definitions or potential impacts you would like us to consider in relation to this part of the Bill.

There is nothing to lose in having variant bids or innovative bids considered. However it has the potential to cause issues at evaluation stage (not comparing like with like) and the subsequent debrief. To mitigate against this all Public Bodies will need to be clear and unambiguous in how variant/innovative bids will be

evaluated.

PART IV: TAKING ACCOUNT OF SOCIAL AND ENVIRONMENTAL SUSTAINABILITY ISSUES THROUGH PUBLIC PROCUREMENT

Q31. Should those awarding major contracts[2] be required to consider including community benefits clauses?

Yes √ No ☐ Don't know/No view ☐

If yes to Q31 –

a) Should those awarding major contracts be required to publish details of the benefits those clauses are intended to deliver and the outcomes **or** a statement explaining why the contract is not considered suitable for the inclusion of community benefit clauses?

Yes √ No ☐ Don't know/No view ☐

b) Should those awarding major contracts be required to consult communities regarding Community Benefits they would wish to see delivered?

Yes√ No ☐ Don't know/No view ☐

c) Should those awarding major contracts be required to consider extending community benefit clauses to sub-contractors?

Yes √ No ☐ Don't know/No view ☐

[2] A question on defining a "major contract" features earlier in the document.

Q32. Should those in receipt of major contracts be required to publish training and apprenticeship plans for those contracts?

Yes √ No ☐ Don't know/No view ☐

Q33. Should we use the Procurement Reform Bill to promote greater use of supported businesses by the public sector?

Yes √ No ☐ Don't know/No view ☐

If yes to Q33 –

a) How can we ensure that public bodies consider use of supported businesses as part of their approach to procurement?

Make this a Statutory requirement. If all Public Bodies are required to have one current contract with a Supported Business it would create a competitive market place amongst Supported Businesses and help ensure their sustainability.

b) Should we make it a statutory requirement that public bodies have at least one current contract with a supported business?

Yes √ No ☐ Don't know/No view ☐

Q34. Should we use the Bill to place a legal requirement that public bodies nominate a "Champion" for supported business to act as a focal point for enquiries and liaison?

Yes √ No ☐ Don't know/No view ☐

Q35. Should public sector bodies be placed under a general duty which requires them to demonstrate the extent to which what is being procured will promote or improve the economic, social, health and environmental well-being of the relevant area?

Yes ☐ No ☐ Don't know/No view √

If yes to Q35 –

a) In conducting the process of procurement, should public sector bodies act with a view to securing that improvement?

Yes ☐ No ☐ Don't know/No view √

b) What are the key issues that should be set out in the guidance?

How will this be evaluated during the tender process against the requirement to achieve Best Value ?

Q36. How could any new arrangements outlined in Part IV be fully enforced?

Q37. Please use this space to give reasons for your responses or if you have any further comments on the proposals in Part IV. Please also use this space to give your thoughts on any definitions or potential impacts you would like us to consider in relation to this part of the Bill.

Public Bodies will need to be clear when consulting the public on community benefit clauses what is within scope and ensure it is proportionate to the contract in question. Otherwise this may result in a 'wish list' that loses sight of the subject matter of the contract and on the need to demonstrate best value.

PART V: DEALING WITH INAPPROPRIATE CONDUCT AND POOR PERFORMING SUPPLIERS

Q38. Should the Bill include measures to ensure that the public sector deals appropriately with poor performance and poor standards of business ethics on the part of contractors?

Yes √ No ☐ Don't know/No view ☐

Q39. Should contractors that fail to adhere to appropriate standards of conduct, performance and business ethics be excluded from competing for public contracts?

Yes √ No ☐ Don't know/No view ☐

If yes to Q39–

a) What should that form of exclusion be?

Barred for a period of time until they demonstrate that any weaknesses identified have been addressed.

Q40. How could any new arrangements outlined in Part V be fully enforced?

Publish a list of all non compliant contractors with details of the breach and timescale for resolving this.

Q41. Please use this space to give reasons for your responses or if you have any further comments on the proposals contained in Part V. Please also use this space to give your thoughts on any definitions or potential impacts you would like us to consider in relation to this part of the Bill.

Dealing with poor performing suppliers and inappropriate conduct needs to be addressed to ensure the Public receive quality services.

PART VI: APPLICATION AND COMPLIANCE

Q42. Should the Bill adopt the same approach to defining public contracts as in the EU Directive and implementing Scottish Regulations?

Yes ☐ No ☐ Don't know/No view √

If yes to Q42 –

a) What should our approach be to local exemptions?

Q43. Should we include specific provisions which explicitly exclude from coverage, contracts between public bodies which are non-commercial? (e.g. those that are in pursuit of shared service initiatives.)

Yes ☐ No ☐ Don't know/No view √

Q44. Should all of the proposals discussed in this consultation paper apply to the procurement of health and social services?

Yes ☐ No √ Don't know/No view ☐

If no to Q44 –

a) From which of the proposals should the procurement of health and social services be exempt and why?

North Ayrshire Council support the appropriate advertising of contracts, debriefing suppliers, use of Community Benefit clauses, encouraging SMEs/Third Sector to bid. However there are individual issues relating to Social Care such as continuity of care, personalisation of care and the users choice of care which will require to be treated differently to other procurement commodities.

b) Should the Bill include additional provisions which apply only to the procurement of health and social services?

Yes it would be helpful to have something definitive on this issue.

If yes to Q44 –

c) What should be included in the Bill to deliver its proposed aims in the context of health and social care procurement?

Q45. Should the Bill apply to utility activities conducted by Private Sector bodies?

Yes ☐ No ☐ Don't know/No view √

Q46. Should the Procurement Reform Bill apply in full or in part to contracts awarded by public bodies in furtherance of utility activities as defined in Directive 2004/17/EC, given effect in Scotland by the Utilities Contracts (Scotland) Regulations 2012?

Yes, in full.

Q47. How could any new arrangements be fully enforced?

Include in the Remedies Directive.

Q48. What sanctions might be appropriate for failure to comply?

Deem contracts as ineffective for failure to comply.

Q49. Should the Single Point of Enquiry have a role in relation to enforcement of the provisions of the Bill?

Yes √ No ☐ Don't know/No view ☐

If yes to Q49 –

a) Should it do so on the basis of statutory powers?

Yes √ No ☐ Don't know/No view ☐

Q50. Please use this space to give reasons for your responses or if you have any further comments on the proposals in Part VI. Please also use this space to give your thoughts on any definitions or potential impacts you would like us to consider in relation to this part of the Bill.

The Single Point of Enquiry is in the best position to enforce the provisions of the Bill.

Living Wage through procurement

Q51. Should procurement activity be used to encourage contractors to pay the living wage to their employees engaged in the delivery of public sector contracts?

Yes √ No ☐ Don't know/No view ☐

If yes to Q51 –

a) To what extent, in what form and at what stage should contractors be encouraged through procurement processes to pay a living wage?

Contractors should be encouraged to use the Living Wage and this could be treated as an un-scored question as Pre Qualification Stage.

b) Would it be appropriate to promote payment of the living wage in all public contracts or only contracts of a certain type or of a certain value?

All contracts should be treated the same to ensure equality.

c) What are the potential benefits and costs associated with promoting payment of the living wage through procurement activity?

The benefits may be reduced staff turnover. However the companies may request increased costs for implementing this policy in existing contracts and new tender costs may be higher. It may also create equal pay issues within companies if they provide similar services to the Public and Private sector.

d) What are the implications for private and voluntary sector suppliers, public bodies and the market?

This may have an adverse affect on private and voluntary suppliers as they may not have the financial reserves/resources to deal with this without increasing tender costs. Large multi national companies may subsume this additional cost and as a result improve their competitiveness.

e) How can public bodies determine the wider social and economic implications of promoting payment of the living wage in a particular procurement process?

NORTH AYRSHIRE COUNCIL

Agenda Item 6

23 October 2012

Cabinet

Subject:	**Extension of the Modern Apprenticeship Scheme**
Purpose:	To review and approve additional funding to expand the Modern Apprenticeship Scheme within North Ayrshire Council.
Recommendation:	That Cabinet agrees to approve the required funding to extend the Modern Apprenticeship Scheme.

1. Introduction

1.1 Within the Council's Economic Development and Regeneration Strategy, stimulating demand for skills and training and helping young people into sustainable employment are key objectives. This is against a background of North Ayrshire having one of the highest levels of youth unemployment in Scotland in a time of adverse economic conditions.

1.2 The Council increased the number of Modern Apprentices employed within the Council from 35 up to 90 during 2011/12, and in order to continue to improve youth training and employment opportunities, this report lays out proposals to further increase the current Modern Apprenticeship programme.

2. Current Position

2.1 Some of the key strategic objectives of the Council's Economic Development and Regeneration strategy focus on tackling North Ayrshire's high worklessness rates, improving skills levels and increasing the number of jobs through a co-ordinated approach. Another key objective is in developing a skilled and adaptable workforce that builds on employment and skills pathways into key industries and promoting the benefits of training.

2.2 Discussions have taken place with the Skills Development in North Ayrshire Group and also with Council Directors on the potential scope and range of opportunities for increasing the Modern Apprentices programme. As a result of these discussions, a revised target of 180 Modern Apprenticeships is achievable.

2.3 Proposals for the additional Modern Apprenticeships include a wide range of work disciplines, e.g. Customer Service, Arboriculture, Landscape Design, Professional Cookery and ICT.

2.4 An added benefit to increasing the provision of and expanding the breadth of the Modern Apprenticeship programme within North Ayrshire Council would be the improvement in the number and range of skilled workers within the local area.

2.5 The duration of a Modern Apprenticeship is one, two or three years depending on the type and level. The funding received from Skills Development Scotland (SDS) also varies depending on the apprenticeship being pursued and its progress/completion. It should be noted that, in addition to the 90 Modern Apprentices within the current programme, there are also 25 Craft Apprentices within Building Services.

2.6 In developing proposals, consideration was given to enhancing the current national pay rates set for Modern Apprentices. However, from analysis of the costs involved, funding an increase in the local pay rate could substantially reduce the number of apprenticeships available.

2.7 Locally increasing the national pay rate of £2.65 per hour by a further £1 per hour would incur a further cost of £375,047 per annum. Given the Council's strategic objective of maximising employment opportunities within the Economic Development and Regeneration strategy and having cognisance of the limited resources available to support employability initiatives, the focus of this paper is therefore on maximising the number of opportunities available.

3. Proposals

3.1 It is proposed that North Ayrshire Council increases the number of Modern Apprentice places to up to a maximum of 180. Taking into account the separate scheme for 25 Craft Apprentices, this will increase to over 200 the total number supported by North Ayrshire Council. The type and number of additional Modern Apprenticeships already identified within services and externally is attached at Appendix 1.

3.2 In addition to apprentices employed directly by North Ayrshire Council, the Economic Development Service also invests in a separate Modern Apprenticeship programme for external businesses, by providing a wage subsidy. This programme has already recruited over 50 apprentices and is anticipated to expand to over 200 in the next two years. Therefore, over the next two years, between internally employed apprentices and externally supported apprentices, North Ayrshire Council will have a relatively large apprenticeship support scheme.

3.3 The Cabinet is invited to approve the required funding set out at Section 4 of the report, to extend the Modern Apprenticeship Scheme.

4. Implications

Financial Implications

4.1 The cost of increasing the targeted number of Modern Apprentices is £612,596. However, this will be offset by funding of £216,150 from Skills Development Scotland resulting in an estimated net cost of £396,446 per annum.

4.2 Due to the significant expansion of this programme, financial provision has been made to support the necessary administration and assessment support. The cost associated with this additional resource is £41,941 per annum and is included within the total cost of £612,596.

4.3 This programme will be resourced from the Economic Development Service budget for employability projects.

Human Resource Implications

4.4 The expansion of training opportunities will have a positive impact in providing a broader range of skills and abilities which the Council can utilise in recruiting into jobs within the Council.

Legal Implications

4.5 None

Equality Implications

4.6 The Council will be taking positive action to support the young unemployed, one of the most under-represented within the jobs market, in gaining skills and experience and have them better prepared to enter employment.

Environmental Implications

4.7 None

Implications for Key Priorities

4.8 The programme expansion will help the Council in improving North Ayrshire's skills levels and tackling the high worklessness rates, key objectives within its Economic Development and Regeneration Strategy.

Community Benefit Implications

4.9 The proposals within this report will help stimulate demand for and access to skills and training amongst the residents of our local communities.

5. Consultations

5.1 Consultation has taken place with Skills Development Scotland, the Chief Executive and Corporate Directors, external companies and the Economic Development and Regeneration Project Director.

6. Conclusion

6.1 North Ayrshire has one of the highest levels of unemployment in Scotland and this will persist unless job growth is improved. Young people tend to be disproportionately affected by the decline in available job opportunities and this initiative will provide training opportunities and help boost the skills levels within that age group which in turn will help stimulate the local economy.

Elma Murray

ELMA MURRAY
Chief Executive

Reference :
For further information please contact Lorna Morrison, Senior Manager (HR) on telephone number 01294 324653

Background Papers
None

Appendix 1

TABLE SHOWING NUMBER and TYPE OF ADDITIONAL MODERN APPRENTICESHIPS

Service	Type of MA	Additional No Required	Course Duration	Delivery Provider	Procurement Required (Y/N)	SDS Funding £	Estimated Start Date
ICT & Customer Service	Customer Service	4	1 yr	TBC	Y	6,200	Nov-12
Education	Creative (Venue Operations)	9	1yr	TBC	Y	27,450	Feb-13
Education	ICT	9	2yr	TBC	Y	36,000	Feb-13
Environment and Related Services	Professional Cookery	14	1yr	TBC	Y	36,600	Apr-13
Environment and Related Services	Horticulture	9	1yr	TBC	Y	24,400	Feb-13
Environment and Related Services	Waste Management & Disposal	3	1 yr	TBC	Y	6,000	Feb-13
Environment and Related Services	Arboriculture	1	1yr	TBC	Y	3,050	Feb-13
Environment and Related Services	Facilities Management	1	1yr	TBC	Y	1,550	Feb-13
Environment and Related Services	Landscape Design	1	1yr	TBC	Y	3,050	Feb-13
Social Services & Health	Health & Social Care	6	1yr	NAC	N	18,300	Feb-13
All	Business Admin	11	1yr	NAC	N	28,050	Ongoing
External	Admin	10	1yr	NAC	N	25,500	TBC
		78				**216,150**	

NORTH AYRSHIRE COUNCIL

Agenda Item 7

23 October 2012

Cabinet

Subject:	**Irvine Bay Regeneration Company - SPRUCE Funding**
Purpose:	To seek Cabinet approval for North Ayrshire Council to act as guarantor for Irvine Bay Regeneration Company in respect of proposed SPRUCE (Scottish Partnership for Regeneration in Urban Centres) loan funding for the three development opportunities outlined in the report.
Recommendation:	That the Cabinet agrees that the Council acts as guarantor for Irvine Bay Regeneration Company in respect of proposed SPRUCE loan funding for the three development opportunities outlined in the report.

1. Introduction

1.1 On 7 February 2007 the Council agreed to provide funding of £4.2m and transfer capital assets to the value of £23m to Irvine Bay Regeneration Company (IBRC) over a 12 year period to help drive forward the regeneration of North Ayrshire. A number of reports have been presented to Council outlining progress against this commitment.

1.2 As at 31 March 2012 the Council had provided funding of £5.273m with actual / plans in place to transfer £6.4m of assets, comprising Irvine Harbourside, Marine Drive and Annickbank. Council funding has resulted in IBRC attracting £21.256m of Scottish Government funding.

1.3 The Council has provided funding to meet management and administration costs since 2007/08, in 2012/13 this funding is £0.270m. In addition to this core funding the Council has contributed investment funding to IBRC, at the Council meeting on 1 February 2012 the Council established a recurring revenue budget of £1.5m per annum for this purpose.

1.4 In addition to funding from the Council, Irvine Bay Regeneration Company has historically received funds from Scottish Enterprise and the Scottish Government. Scottish Enterprise funding has now being consolidated into the Scottish Government funding, with resources being reduced and less certain in future years. Due to a reduction in funding from Scottish Government/ Scottish Enterprise, IBRC is actively pursuing funding sources from all other sources.

1.5 A key benefit of the partnership with Irvine Bay is its capacity to access funding sources which are not available to the Council.

1.6 The key projects which have been delivered or are currently being progressed are noted below:

- Kilwinning Main Street
- Irvine town centre regeneration, including contributions to Bridgegate, development of the public realm and Trinity Church
- Community Investment Fund
- Irvine Harbourside
- Marine Drive Golf/ Tourist Accommodation development
- Irvine, Ailsa Road Industrial Estate Units
- Stevenston Business Centre
- Ardrossan North Shore (former Shell depot) and Marina Extension
- Saltcoats Station Building and Town Hall

2. Current Position

Current Developments seeking SPRUCE funding

2.1 The current business plan for Irvine Bay Regeneration Company includes the following developments:

- Ardrossan Quayside - £3.050m
- Annickbank - £1.000m
- Oldhall - £0.938m

2.2 A brief description of the projects is provided below:

Ardrossan Quayside

2.3 The first phase development is an office building designed to a high quality befitting its outstanding position overlooking the marina, beside the refurbished Pump House Building and adjacent to Ardrossan Harbour Station and the Arran Ferry Terminal. A planned second phase of this development which will deliver a Hotel on the remaining site.

2.4 The office space has been designed as flexible, open-plan space suitable for a range of small-medium sized enterprises. It has been designed to be environmentally friendly. The design combines the use of glass, brick and wood to create a modern look, sympathetic with the surroundings.

2.5 There is initial interest from some potential users, however the space needs to be built in order to crystallise the latent demand. The ground floor space can be used as offices but also as restaurant/cafe/retail space and it is hoped that some uses of this nature can be secured in order to attract custom from travellers who use the ferry.

2.6 Gross jobs estimated: 180

Annickbank, Irvine Enterprise Area

2.7 Annickbank is a site zoned for office use on the North Ayrshire Local Plan. The site is on Annick Road, Irvine opposite the Menzies Hotel, close to the Warrix Interchange on the A78 and A71 and within easy reach of Irvine town centre. It is included in the Irvine Life Sciences Enterprise Area and is eligible for Scottish Government funded rates relief.

2.8 The overall purpose of the project is to build an office Business Park in phases. The whole site has outline planning approval for offices and detailed planning approval for a Phase 1 development comprising three, two storey terraces and a two storey pavilion. The Phase 1 buildings have been designed to BREEAM Excellent standard, with A rated Energy Performance Certificates, to give the development a leading edge position in the market.

2.9 Its role in regeneration is to attract new business and investors and to provide modern, energy efficient offices that currently do not exist in the area. It will also have small size offices, for rent and sale, to meet the needs of SMEs.

2.10 Irvine Bay has completed the site infrastructure with estate road, drainage and utilities in place. A quick start to building construction can therefore be made.

2.11 Gross jobs estimated : 45

Oldhall, Irvine Enterprise Area

2.12 Irvine Bay Developments Limited bought this property in June 2011. The property comprises a large detached industrial unit with fenced yard area located on a large plot backing onto the river Irvine.

2.13 The unit was acquired to remove dereliction at a critical location within the Enterprise Area, being at the junction of Long Drive and Shewalton Road within the Irvine i3 estate and the Irvine Enterprise Area. Irvine Bay undertook a phase one refurbishment. This work generally made the unit marketable as an industrial unit capable of being advertised for single or multiple uses.

2.14 Due to the work carried out in phase one potential occupier interest has been expressed in the building. The refurbished shell now requires fitting-out with offices, toilets and utility services. This phase two work comprises extensive investment in the provision of gas, electricity and water, offices and toilets together with external repairs to the yard area access doors and lighting.

2.15 Like Annickbank, this building is within the designated Enterprise area and therefore eligible for rates relief. There is one potentially interested pre-let but it is expected that the further subdivision and refurbishment work will be needed to allow optimal marketing of the building.

2.16 Gross Jobs Estimated: 225

2.17 As part of the funding strategy for these projects Irvine Bay intends to apply for SPRUCE (Scottish Partnership for Regeneration in Urban Centres) funding for a proportion of the total costs of the projects. The SPRUCE Fund is a JESSICA (Joint European Support for Sustainable Investment in City Areas) UDF (Urban Development Fund) that funds regeneration and energy efficiency projects within targeted areas of Scotland. The Scottish Government fund of £50m has similar eligibility criteria to ERDF. It is a revolving fund, whereby organisations accessing the fund are required to repay the loan.

2.18 The total value of funding being sought by IBRC is £2.000m being 40% of the total investment. Funds will be repaid over a maximum of 12 years at an interest rate of between 4-5%. A condition of accessing the funds is that the Council acts as guarantor in the event of IBRC defaulting on the loan. The Council's authority to act as guarantor is contained in section 20 (2) (b) of the Local Government Scotland Act 2003, in terms of the power to advance well-being. A decision on how the Council secures its interest in the property would be considered on clarification of the terms of the SPRUCE loan.

2.19 IBRC's business plan is a combination of projects for which funding has been secured and others where funding is being pursued actively. An extract of the business plan for those projects where funding is secured together with the projects for which funding is being sought via SPRUCE confirms that funding exceeds running and investment costs. The plan is attached at Appendix 2.

2.20 In addition to the income / expenditure shown at Appendix 2, IBRC will receive income from the rental of the new developments and will also require to service the SPRUCE loan. The table below provides headline information on each of the new developments and confirms annual loan repayments of £0.220m against 100% occupant rents of £0.490m. Servicing of the loan requires an average let of 45%.

2.21 This highlights a fairly low risk of IBRC defaulting on its agreements with SPRUCE:

	Ardrossan Quayside	**Annickbank**	**Oldhall**	**Total**
Total investment	£3.050m	£1.035m	£0.938m	£5.023m
Valuation of new development	£2.105m	£0.568m	£1.085m	£3.758m
SPRUCE loan	£1.100m	£0.300m	£0.600m	£2.000m
Rental Income (100%)	£0.232m	£0.065	£0.193	£0.490m
Loan Repayments	£0.121m	£0.033	£0.066m	£0.220
Percentage let to service loan	52%	51%	34%	45%

3. Proposals

3.1 The report summarises the funding and land transfers which have been made since the Council established its relationship with Irvine Bay Regeneration Company and notes the additional Scottish Government funding which have been levered in as result of this. IBRC wishes to secure external loan funding via SPRUCE and requires North Ayrshire Council to act as guarantor. The report summarises the cost and value of the investment, together with the value of loan and anticipated rental income and notes the low risk associated with the proposal.

3.2 The Cabinet is invited to approve the Council acting as guarantor for Irvine Bay Regeneration Company in respect of proposed SPRUCE loan funding for three development opportunities outlined in the report.

4. Implications

Financial Implications

4.1 There are no immediate financial implication for the Council. There may be financial implication in the event of IBRC being unable to meet future loan costs. The report notes that any financial cost to the Council would be minimised through IBRC reprioritising its commitments to meet the costs of the SPRUCE loan.

Human Resource Implications

4.2 None

Legal Implications

4.3 The power to offer financial assistance by way of guarantee can be found in section 20 (2) (b) of the Local Government in Scotland Act 2003'.

Equality Implications

4.4 None

Environmental Implications

4.5 None.

Implications for Key Priorities

4.6 Supporting IBRC will assist the Council to meet its aspirations of regeneration and economic well being.

Community Benefit Implications

4.7 No specific implications, however community benefits will be pursued as work is procured to deliver the schemes outlined in the report.

5. Consultations

5.1 Consultation has taken place with IBRC and the Solicitor to the Council.

6. Conclusion

6.1 The projects being progressed by IBRC contribute to the economic development of North Ayrshire. They are expected, once completed and occupied, to facilitate over 450 jobs. Access to SPRUCE funds provides an opportunity for IBRC to access funds in support of three of the developments and potentially more in the Irvine Enterprise Area. Based on the current business plan and the rent levels required to service the loans, the risk of North Ayrshire requiring to meet its obligation as guarantor and provide funding is low.

6.2 Prior to confirming the Council's position as guarantor agreement would be required from IBRC that in the event of default it would review its business plan maximising efficiencies, reviewing all projects and minimising any call on additional resources from the Council.

6.3 It is recommended that the Council acts as guarantor to allow IBRC to access SPRUCE funding. Any shortfall in funding as a result of having to meet commitments as guarantor would require to be met from the Council's revenue budget.

LAURA FRIEL
Corporate Director (Finance and Infrastructure)

Reference :
For further information please contact Laura Friel, Corporate Director (Finance & Infrastructure) on telephone number 01294 324554.

Background Papers
None

Appendix 1

Projects funded by NAC contributions

Project	2007/08	2008/09	2009/10	2010/11	2011/12	Total
Kilwinning Main Street		£100,000	£280,907	£346,383	£106,224	£833,514
Community Investment Fund		£10,582	£108,843	£160,877	£144,658	£424,960
Bridgegate House Public Realm				£45,411	£253,387	£298,798
Irvine Harbourside Development		£100,000	£122,287	£56,331	£7,727	£286,344
Irvine Town Centre, Bridgegate House			£25,784	£176,228	£57,713	£259,725
NACCO building, Irvine				£219,327	£1,771	£221,098
Trinity Church				£65,526	£53,640	£119,165
Jack Millars				£95,005	£119,912	£214,917
Coastal Beacons		£49,638	£44,759	£95,903	£7,450	£197,750
Education Programme		£9,527	£21,965	£77,568	£77,020	£186,080
Former Police Station, Irvine				£151,343	£14,924	£166,267
Small Industrial / Commercial Development Fund				£2,275	£161,780	£164,055
Coastal Park		£5,295	£9,779	£37,509	£89,764	£142,348
Big on the Beach				£32,124	£100,399	£132,522
Saltcoats Hamilton Street			£9,643	£21,406	£100,326	£131,375
Annickbank					£113,765	£113,765
Business Centre Stevenston				£77,827	£29,068	£106,895
Various	£105,000					£105,000
Ardrossan Medical Centre				£26,345	£62,572	£88,917
Irvine Eco Village			£1,585	£80,051		£81,636
Saltcoats Station Building				£3,577	£76,151	£79,728
Ardrossan Harbour Bar				£64,164	£14,661	£78,825
Riverside Avenue					£56,898	£56,898
NACCO Ailsa Road				£38,247	£13,267	£51,514
Design Guidance		£1,494	£37,946	£6,761		£46,201
Oldhall East					£35,060	£35,060
Rivergate / Town Centre Masterplan		£28,609	£3,169			£31,778
Riverside Business Park					£29,956	£29,956
Ardrossan Quayside Offices					£25,498	£25,498
Lyric Theatre				£21,848		£21,848
Irvine Marine Drive				£15,458	£5,109	£20,567
93 Princes St				£20,121		£20,121
Enterprise Island		£16,125				£16,125
NACCO temp space				£13,489	£201	£13,690
Shell Depot (JV)				£12,053	£1,260	£13,313
Saltcoats Old Bathing Pool		£4,855	£7,192	£224		£12,271
Beach Park, Irvine			£6,354			£6,354
Ardrossan Marina					£3,586	£3,586
Renewable Opportunities					£3,250	£3,250
Dune Works, Stevenston			£350			£350
Cenes building (RBP acquisition)					£319	£319
Smallworld building (RBP acquisition)					£319	£319
Spark building (RBP acquisition)					£319	£319
Saltcoats Quay			£132			£132
Project Implementation Costs:						
Financial, economic and legal consultancy support				£4,444	£49,586	£54,031
Site investigations re Magnum relocation					£63,352	£63,352
Property consultancy support				£1,970	£16,094	£18,064
Demolition of Irvine beach pavilion					£11,371	£11,371
Property owners insurance					£11,660	£11,660
Sundry costs				£1,860	£2,288	£4,149
Pryde PLAYZ capital project				£50,000		£50,000
Marketing and PR costs:				£10,187	£207,859	£218,046
Total Investments	**£105,000**	**£326,125**	**£680,695**	**£2,031,843**	**£2,130,161**	**£5,273,824**

Notes;

Analysis of expenditure not available for 2007/08

Extract from Irvine bay Business Plan 2012/15				
Committed and SPRUCE projects				
	2012/15	2012/13	2013/14	2014/15
	£,000	£,000	£,000	£,000
i3 Enterprise Areas				
Refurbishment - Oldhall	-£938	-£488	-£450	£0
Refurbishment - Innov B	-£100	£0	-£100	£0
New build - Annickbank	-£1,000	£0	-£250	-£750
Strategic Local				
Bridgegate House	-£200	£0	-£200	£0
Bridgegate public realm	-£1,875	£0	-£1,375	-£500
Trinity Church	-£100	-£100	£0	£0
Irvine Ailsa Road Ind. Units	-£314	-£314	£0	£0
Stevenston Business Centre	-£26	-£26	£0	£0
Ardrossan Quayside	-£3,050	-£1,000	-£2,050	£0
Community				
Kilwinning Gateway	-£400	-£200	-£200	£0
Kilwinning Sports Club	-£200	-£100	-£100	£0
Saltcoats Town Hall	-£50	-£25	-£25	£0
Management/admin	-£1,860	-£620	-£620	-£620
Total expenditure	**-£10,113**	**-£2,873**	**-£5,370**	**-£1,870**
Funding sources:				
Scottish Government	£2,518	£978	£1,540	£0
North Ayrshire Council	£5,310	£1,770	£1,770	£1,770
North Ayrshire Council - additional	£200	£0	£200	£0
Hub	£420	£0	£220	£200
SPRUCE	£2,000	£510	£1,190	£300
Rental income	£790	£250	£250	£290
Total funding	**£11,238**	**£3,508**	**£5,170**	**£2,560**
Net cashflow	**£1,125**	**£635**	**-£200**	**£690**

NORTH AYRSHIRE COUNCIL

Agenda Item 8

23 October 2012

Cabinet

Subject:	**Data Protection Policy – Policy Approval**
Purpose:	To seek Cabinet approval for the Data Protection Policy.
Recommendation:	That the Cabinet agrees to (a) approve the Data Protection Policy and (b) receive further reports on progress with implementation of the Policy.

1. Introduction

1.1 The purpose of the Data Protection Act 1998 is to protect the rights and privacy of living individuals and to ensure that personal data is not processed without their knowledge, and, wherever possible, is processed with their consent.

1.2 North Ayrshire Council is committed to a policy of protecting the rights and privacy of individuals (including customers, staff and others) in accordance with the Data Protection Act. The Council regards the lawful and correct treatment of personal information as important to its successful operation and to maintaining confidence between the Council and those with whom it carries out business.

2. Current Position

2.1 Public Records (Scotland) Act 2011

The Public Records (Scotland) Act 2011 requires public authorities to review their practice in managing information and to produce a Records Management Plan for approval by the Keeper of the Records of Scotland. An element of the Records Management Plan requires organisations to have in place a Data Protection Policy approved by the Cabinet.

2.2 **Information Commissioner**

Data Controllers are required to renew their notification with the Information Commissioner on an annual basis. The Council's notification is reviewed and maintained by the Solicitor to the Council. The Commissioner has powers to audit and access compliance with the Act and to issue enforcement notices and financial penalties in cases of poor performance.

2.3 **Policies and Procedures**

The Council has in place policies and procedures which support compliance with the requirements of the legislation including: Information Security Policy, ICT Security Policy, Records Management Policy, Records Retention Schedule and Acceptable Computer Use Policy.

2.4 **Governance Arrangements**

The Data Protection Policy aims to support compliance with the requirements of the Data Protection Act. A Data Protection Advisory Group (DPAG) will be established to advise on data protection issues and provide support for the Solicitor to the Council.

2.5 **Responsibilities**

The Policy applies to all staff and Elected Members of the Council and it clarifies the roles and responsibilities in relation to Data Protection. The Policy also applies to external partners and agencies that may be processing information on behalf of the Council.

2.6 **Training and Support**

Elected Members and staff will be provided with appropriate guidance, training and procedures to aid compliance with this policy.

3. Proposals

3.1 The Data Protection Policy establishes and confirms the Council's compliance with the requirements of the Data Protection Act. The proposal Policy is attached at Appendix 1 to this report.

3.2 The Policy provides a framework that manages the risks associated with processing personal data and supports service delivery.

3.3 The Cabinet is invited to agree to (a) approve the Data Protection Policy and (b) receive further reports on progress with implementation of the Policy.

4. Implications

Financial Implications

4.1 There are no immediate financial implications directly arising from this report.

Human Resource Implications

4.2 Services will be expected to assist in the training of staff.

Legal Implications

4.3 There is a legal obligation to comply with Data Protection legislation. Failure to do so may result in financial penalties being imposed.

Equality Implications

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

Environmental Implications

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

Implications for Key Priorities

4.6 The Data Protection Policy supports the Council Plan and partnership working.

5. Consultations

5.1 Consultation was undertaken during the development of the Data Protection Policy with the Corporate Management Team and the Information Management Group.

6. Conclusion

6.1 The Data Protection Policy sets out how the Council will meet its responsibilities within the Data Protection Act.

6.2 The Policy will ensure that the Council manages the personal data of members of the public; current, past and prospective employees, clients and customers; and business partners in an appropriate way reducing the risk of reputational damage or financial penalty if information is compromised.

IAN T MACKAY
Solicitor to the Council

Reference : 14/ITM/KLB
For further information please contact Hazel Lauder, Information and Records Manager on telephone number 01294 324278

Background Papers
None

NORTH AYRSHIRE
COUNCIL

Data Protection Policy

Version: 0.4
Date: June 2012

Document Control Guidelines

Document control	
Prepared By	Information and Records Manager
Authorised By	Corporate Management Team
Source Location	I:\ITPUBLIC\InformationManagement
Published Location	http://navigate.north-ayrshire.gov.uk/
Other documents referenced	
Related documents	
Acknowledgements	

Version control			
Version Number	**Date issued**	**Author**	**Update information**
V0.1		Hazel Lauder	Draft for review
V0.2		Hazel Lauder	Draft for review with amendments suggested by STTC.
V0.3	22.6.12	Hazel Lauder	Draft for review with amendments suggested by ICTSO.
V0.4	28.6.12	Hazel Lauder	Minor correction 4.1

1. Policy Statement

1.1 North Ayrshire Council is committed to a policy of protecting the rights and privacy of individuals (this includes customers, staff and others) in accordance with the Data Protection Act. North Ayrshire Council regards the lawful and correct treatment of personal information as important to its successful operations and to maintaining confidence between the Council and those with whom it carries out business.

1.2 This policy will be published on the Council's Intranet and any amendments or revisions will be noted within the document control section. A review will be undertaken on a biennial basis with content being updated as appropriate. However, policies and guidelines may be altered at any time if amendments are deemed necessary.

1.3 In order to operate the Council needs to process certain information about members of the public; current, past and prospective employees, clients and customers; and business partners.

1.4 It may be required by law to collect and use information in order to comply with the requirements of central government and regulators. The safeguards within the Act ensure that this personal information is handled and dealt with properly, however it is collected, recorded and used, and whatever the format of the information.

1.5 To comply with the law, information about individuals must be collected and used fairly, stored safely and securely and not disclosed to any third party unlawfully.

1.6 The policy applies to all staff and Elected Members of the Council. Any breach of the Data Protection Act 1998 or the Council's Data Protection Policy is considered to be an offence and disciplinary procedures will apply.

1.7 Other agencies and individuals working with the Council, and who have access to personal information, are required to have read and comply with this policy.

1.8 Services who deal with external agencies processing Council information are responsible for ensuring that such agencies sign a contract agreeing to abide by this policy.

1.9 This policy applies to all situations where the Council process (collect, store, use, share) personal data about living individuals. It includes information stored in any format including but not limited to: electronically, on paper, on CCTV, in photographs and on audio equipment.

2. Data Protection Act

The purpose of the Data Protection Act 1998 is to protect the rights and privacy of living individuals and to ensure that personal data is not processed without their knowledge, and, wherever possible, is processed with their consent.

Definitions are provided in Appendix 1 of this document.

3. Responsibilities under the Act
3.1 The Council as a body corporate is the data controller under the Data Protection Act.

3.2 The Solicitor to the Council is responsible for day-to-day data protection matters and for developing specific guidance relating to data protection issues.

3.3 A Data Protection Advisory Group (DPAG) has been established to advise on data protection issues and provide support for the Solicitor to the Council.

3.4 DPAG is chaired by the Solicitor to the Council and reports to Corporate Management Team.

3.5 The Corporate Management Team and all those in managerial or supervisory roles are responsible for developing and encouraging good information handling practice within the Council.

3.6 Compliance with data protection legislation is the responsibility of all staff and Elected Members who process personal information.

3.7 Staff are provided with guidance, training and procedures to aid compliance with this policy.

4. Data Protection Principles
All processing of personal data must be done in accordance with the eight data protection principles. These are outlined below and the method of compliance is outlined.

4.1 Personal data shall be processed fairly and lawfully.

North Ayrshire Council processes data in relation to its employees, clients and customers, and business partners. The Council's Notification to the Information Commissioner's Office (ICO) outlines the processing of personal data for specific purposes.

All sharing of personal data with other organisations will be appropriately documented. Where the sharing is voluntary (rather than a statutory requirement) a written agreement will be in place.

4.2 Personal data shall be obtained for specific and lawful purposes and not processed in a manner incompatible with those purposes.

When personal data is collected the Data Subject will normally be provided with a Privacy Notice, providing information about what we collect, why this information is needed and how it will be processed. Any exceptions to this will be documented.

4.3 Personal data shall be adequate, relevant and not excessive in relation to the purpose for which it is held.

North Ayrshire Council will identify and collect the minimum amount of information that is necessary for the purpose. If it becomes necessary to hold or obtain additional information about certain individuals, such information will only be collected and recorded in relation to those individuals.

4.4. Personal data shall be accurate and, where necessary, kept up to date.

North Ayrshire Council will adopt policies that ensure that all relevant information, are kept accurate and up to date. Where the Council identifies an inaccuracy or a data subject indicates that information held by the Council or a business partner is inaccurate, the error will be rectified by the owner of the data.

4.5 Personal data shall be kept only for as long as necessary.

North Ayrshire Council will implement procedures in relation to the retention of personal data in accordance with the Corporate Records Retention Schedule.

4.6 Personal data shall be processed in accordance with the rights of data subjects under the Data Protection Act.

Requests for Subject Access must be complied with within 40 days, subject to receipt of all necessary information and the appropriate fee. Procedures will make provisions for the other Data Subject rights outlined in the Act. Further information on this is contained in Section 6 of this Policy.

4.7 Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of data.

North Ayrshire Council has a separate Information Security Policy which addresses the requirements of this principle. All personal data must be appropriately safeguarded from accidental destruction, theft or any other loss.

Where personal data has to be taken off-site this will be restricted to only that necessary to undertake the required function and documented procedures will be in place to mitigate against any loss.

4.8 Personal data shall not be transferred to a country or a territory outside the European Economic Area unless that country or territory ensures an

adequate level of protection for the rights and freedoms of data subjects in relation to the processing of personal data.

In the event that there is a business need to transfer data out-with the EEA, guidance will be sought from IT Services in the first instance.

5. Notification

5.1 The Information Commissioner maintains a public register of data controllers. The Data Protection Act 1998 requires every Data Controller who is processing personal data, to notify and renew their notification, on an annual basis. Failure to do so is a criminal offence.

5.2 Notification is the responsibility of the Solicitor to the Council. Corporate Directors are responsible for notifying and updating the Solicitor to the Council of the processing of personal data within their Service.

5.3 Details of the Council's notification are published on the Information Commissioner's website.

5.4 All systems (paper and electronic) which process personal data will be recorded on a central log, the Information Asset Register, to ensure that the processing is covered by the DPA Registration

5.5 All proposed systems or systems under development which would process personal data must be checked prior to development to ensure that the processing will be covered by our DPA Registration.

6. Data Subject Rights

Data Subjects have the following rights regarding data processing, and the data that are recorded about them:

- To request information regarding the nature of information held and to whom it has been disclosed. This is referred to as the subject making a Subject Access Request.
- To prevent processing likely to cause damage or distress.
- To prevent processing for purposes of direct marketing.
- To be informed about mechanics of automated decision making processes that will significantly affect them.
- Not to have significant decisions that will affect them taken solely by automated process.
- To take action to obtain compensation if they suffer damage by any contravention of the Act.
- To take action to rectify, block, erase or destroy inaccurate data.
- To request the Commissioner to assess whether any provision of the Act has been contravened.

7. Consent

Wherever possible, personal data or sensitive data should not be obtained, held, used or disclosed unless the individual has given consent. In most instances consent to process personal and sensitive data is obtained routinely by the Council. Council forms that gather data on an individual should contain a statement explaining what the information is to be used for and to whom it may be disclosed.

8. Disclosure of Data

8.1 The Council must ensure that personal data are not disclosed to unauthorised third parties which includes family members, friends, government bodies, and in certain circumstances, the Police. All staff and Elected Members should exercise caution when asked to disclose personal data held on another individual to a third party.

8.2 This policy determines that personal data may be legitimately disclosed where one of the following conditions apply:

- The individual has given their consent
- Where the disclosure is in the legitimate interests of the Council
- Where the Council is legally obliged to disclose the data
- Where disclosure of data is required for the performance of a contract

8.3 The Act permits certain disclosures without consent in relation to specific purposes.

8.4 Unless consent has been obtained from the data subject, information should not be disclosed over the telephone. Instead, the enquirer should be asked to provide documentary evidence to support their request. Ideally a statement from the data subject consenting to disclosure to the third party should accompany the request.

8.5 Guidelines for the communication of information out with the Council with clients and the wider public should be followed.

9. Information Security

9.1 All staff are responsible for ensuring that any personal data which they hold are kept securely and that they are not disclosed to any unauthorised person or third party.

9.2 The Information Security Policy provides guidance on protectively marking and handling personal information.

10. Retention and Disposal of Data

10.1 The Council aims to manage its personal data in line with the Records Retention Schedule to ensure that data is not retained for longer than they are required.

10.2 Personal data must be disposed of in a way that protects the rights and privacy of data subjects such as shredding, disposal as confidential waste, and secure electronic deletion.

10.3 All systems should be reviewed on a regular basis to identify records which are no longer required and these will be destroyed in line with the Corporate Retention Schedule.

Appendix 1

Definitions (Data Protection Act 1998)

Personal Data	Data relating to a living individual who can be identified from that information or from that data and other information in possession of the data controller. Includes name, address, telephone number, national insurance number. Also includes expression of opinion about the individual, and of the intentions of the data controller in respect of that individual.
Sensitive Data	Different from personal data, relates to racial or ethnic origin, political opinions, religious beliefs, trade union membership, health, sex life, criminal convictions. Sensitive data are subject to much stricter conditions of processing.
Data Controller	Any person (or organisation) who makes decisions with regard to particular personal data, including decisions regarding the purposes for which personal data are processed and the way in which the personal data are processed.
Data Processor	Any person (or organisation) contracted by a data controller to process information on their behalf. The data controller retains legal liability for the processing and protection of the information.
Data Subject	Any living individual who is the subject of personal or sensitive data.
Processing	Any operation related to the holding, organisation, retrieval, disclosure and deletion of data and includes: obtaining and recording data; accessing, altering, adding to, merging, deleting data; retrieval, consultation or use of data; disclosure or otherwise making available of data.
Third Party	Any individual/organisation other than the data subject, the data controller or its agents.
Additional North Ayrshire Council definitions	
Sharing and Exchange Protocol	Ensures the "rules" of sharing have been clearly communicated and understood by both parties. Aims to ensure that method of sharing, storing, use, in transit, backups, destruction etc is agreed before sharing is undertaken.

NORTH AYRSHIRE COUNCIL

Agenda Item 9

23 October 2012

Cabinet

Subject:	**Scheme of Assistance**
Purpose:	To seek Cabinet approval for the revised Scheme of Assistance set out at Appendix 1.
Recommendation:	That the Cabinet agrees to approve the Scheme of Assistance.

1. Introduction

1.1 The Housing (Scotland) Act 2006 is based on the principle that individual owners have primary responsibility for maintaining their properties, supported through the provision of advice, information and practical assistance from the local authority. The Act details local authority powers in relation to repair and improvement of private housing, and adaptations for people with a disability. This is known as 'Scheme of Assistance'.

1.2 The Council has operated its current Interim Scheme of Assistance (which was approved by Committee in December 2010) since January 2011.

1.3 In accordance with the agreed Local Housing Strategy Action Plan, and feedback received from the Interim Scheme of Assistance, a revised 'full' Scheme of Assistance has now been developed (Appendix 1). If approved, the revised Scheme will replace the existing Interim Scheme of Assistance.

2. Current Position

2.1 The aim of the revised Scheme of Assistance is to encourage homeowners to take responsibility for the maintenance and repair of their own properties, and to:

- More effectively and efficiently address poor property conditions in the private housing sector;
- Provide a fair and sustainable approach to providing assistance and help homeowners improve the condition of their properties; and

- Ensure elderly and disabled residents living in the private sector can live independently in their homes for as long as they choose to do so.

2.2 In order to ensure the above aims are met, the Scheme of Assistance details three types of assistance: Advice and Information; Practical Assistance; and Financial Assistance.

2.3 Monitoring and reporting procedures have been established to enable the completion of Scottish Government annual returns.

2.4 The content of the Scheme of Assistance will be subject to ongoing review.

3. Proposals

3.1 The Cabinet is invited to approve the Scheme of Assistance set out at Appendix 1.

4. Implications

Financial Implications

4.1 The Scheme of Assistance is predominantly funded by the Private Sector Housing Grant which is awarded annually as part of the Council's budget allocation process. The revisions to the Scheme of Assistance do not introduce any additional financial commitments to the Council.

Human Resource Implications

4.2 There are currently no human resource implications resulting from the revised Scheme of Assistance.

Legal Implications

4.3 The Scheme of Assistance delivers the Council's legal obligations under the Housing (Scotland) Act 2006.

Equality Implications

4.4 The revised Scheme of Assistance has been subject to Equality Impact Assessments and has been found to have no negative or discriminatory effect on any of the equality groups.

Environmental Implications

4.5 There is no environmental impact resultant from implementing the Scheme of Assistance.

Implications for Key Priorities

4.6 The revised Scheme of Assistance will contribute to two of the Scottish Government's National Outcomes:

- National Outcome 10 - We live in well designed, sustainable places where we are able to access the amenities and services we need; and
- National Outcome 12 - We value and enjoy our built and natural environment and protect it and enhance it for future generations.

5. Consultations

5.1 Housing Services has undertaken consultation with internal stakeholders including Social Services and Infrastructure Services.

5.2 Furthermore, extensive consultation and feedback has been received from a range of external stakeholders, such as Ayrshire & Arran Primary Health Care Trust, local Housing Associations, voluntary organisations, and local residents.

6. Conclusion

6.1 The Housing (Scotland) Act 2006 introduced a legal requirement for all local authorities to develop and publish a Scheme of Assistance which details the circumstances in which advice and assistance will be offered.

6.2 The revised Scheme of Assistance will replace the Interim Scheme of Assistance, and will contribute to improving property condition in North Ayrshire's private housing sector.

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
None

Appendix 1

NORTH AYRSHIRE
Local Housing Strategy
2011-2016

Scheme of Assistance

for Home Owners and the Private Rented Sector

Statement of Assistance
The Housing (Scotland) Act 2006 (s.72)

August 2012

NORTH AYRSHIRE
COUNCIL

This document can also be made available in other formats such as audiotape, CD, braille and in large print. It can also be made available in other languages on request.

該文件還有其他形式，如語音磁帶、CD、盲文版本及大字體版本。如有需求，還提供其他語言版本。

ਇਹ ਦਸਤਾਵੇਜ਼ ਹੋਰ ਰੂਪਾਂ ਵਿਚ ਵੀ ਮਿਲ ਸਕਦਾ ਹੈ, ਜਿਵੇਂ ਸੁਣਨ ਵਾਲੀ ਟੇਪ 'ਤੇ, ਸੀ ਡੀ 'ਤੇ, ਬ੍ਰੇਲ ਅਤੇ ਵੱਡੇ ਅੱਖਰਾਂ ਵਿਚ। ਮੰਗ ਆਉਣ 'ਤੇ ਇਹ ਹੋਰ ਬੋਲੀਆਂ ਵਿਚ ਦੀ ਦਿੱਤਾ ਜਾ ਸਕਦਾ ਹੈ।

یہ دستاویز دیگر شکلوں میں بھی دستیاب ہے، جیسے آڈیو ٹیپ ، سی ڈی، بریل اور بڑے حروف کی چھپائ میں ۔ درخواست کرنے پر یہ دستاویز دیگر زبانوں میں بھی مہیا کی جا سکتی ہے ۔

Ten dokument jest do uzyskania w różnych formatach: na taśmie dźwiękowej, płycie CD, brajlem i dużym drukiem. Na żądanie, można go także otrzymać w innych wersjach językowych.

Comments or questions about this strategy, including requests for supporting information or documentation, should be made to:

Development & Strategy Manager
'Scheme of Assistance'
North Ayrshire Council
Community Care & Housing
FREEPOST SCO2742
Irvine
KA12 8BR

Telephone: **01294 324644**
Fax: **01294 324624**

Email: psadvice@north-ayrshire.gov.uk

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General Information

North Ayrshire Council's Scheme of Assistance details what information, advice and practical support we, the Council, will provide to help those living in the private sector repair, maintain, improve or adapt their homes.

The type of assistance available and the eligibility criteria for such assistance may change in accordance with the law, and the availability of financial resources. Therefore, the Scheme of Assistance will be reviewed regularly and updated as necessary to reflect any changes.

We will ensure that the most current version of the Scheme of Assistance is available on request and from our website.

VISION & AIMS

The Scheme is designed to be fair, sustainable and transparent in meeting its aims of:

- helping older people, and people with disabilities, who are living in the private sector make adaptations which allow them to live in their homes for as long as they choose to do so, and
- addressing disrepair in private sector homes by encouraging home owners to recognise that they have the primary responsibility for maintaining their properties.

We will achieve these aims by offering the following types of assistance:

- **Advice and Information**
  We will ensure that advice and information on home repairs, maintenance, improvements and adaptations is available to anyone who resides in North Ayrshire's private housing sector
- **Practical Assistance**
  We will provide a range of services which offer practical help relating to the repair and maintenance of homes in the private sector, and
- **Financial Assistance**
  We will provide financial assistance to cover some (or all) of the costs of eligible disabled adaptations to private properties.

We will evaluate our performance in terms of meeting the aims of the Scheme, and will use this information to improve our service delivery.

The table below summarises the methods of assistance available, and who will be eligible for these.

Table 1: Assistance Available

Type of assistance available under the North Ayrshire Council Scheme of Assistance	Private Tenant		Private Landlord		Home Owner	
Advice and assistance delivered by the Council's Housing Services.	✓		✓		✓	
Information and advice available from the Council's website.	✓		✓		✓	
Information and advice regarding reinstatement of a property that has been previously adapted.	✓		✓			
Mandatory financial assistance to carry out essential adaptations to a home if you are a person with a disability and have been assessed by Social Services.	✓				✓	
Independent advice and assistance from the Care and Repair Services, including a small repairs service to assist older people or people with a disability (for additional information see page 16).					✓	
We may use enforcement powers in order to improve housing that is in extremely poor condition or below the tolerable standard.	✓		✓		✓	
We will provide advice and assistance when a statutory notice has been served on a property.	✓		✓		✓	

STRATEGIC CONTEXT

In 2007, the Scottish Government set out 15 National Outcomes which described what the Government wanted to achieve over the next 10 years. North Ayrshire Council's Scheme of Assistance will contribute towards two of these National Outcomes, specifically:

- National Outcome 10 - We live in well-designed, sustainable places where we are able to access the amenities and services we need, and
- National Outcome 12 - We value and enjoy our built and natural environment and protect it and enhance it for future generations.

At a local level, the Scheme has been designed to contribute towards meeting the following outcomes from the North Ayrshire Local Housing Strategy 2011 – 2016:

- The supply and quality of housing better meets needs and aspirations
- Housing support measures promote independent living
- Housing is sustainable and contributes to stable communities, and
- Access to high quality information and advice has improved.

Promoting equality and reducing disadvantage is one of the Council's key priorities and the principles of equality and fairness are central to the delivery of all our services. This commitment is described in the Council's Single Equality Scheme which can be found on our website.

RESOURCING THE SCHEME

North Ayrshire Council's Community Care & Housing Service has primary responsibility for the development and implementation of the Scheme of Assistance. A team has been appointed to act as a 'one stop shop' for the provision of information and advice to home owners and the private rented sector.

We are also committed to ensuring our website (www.north-ayrshire.gov.uk) provides clear and concise information and advice about private sector issues. The website will be subject to regular review and will be promoted across all Council services and other agencies.

We will also develop posters and leaflets to publicise the Scheme, and to assist in the provision of advice and assistance. These will be distributed widely throughout North Ayrshire.

ENGAGEMENT

We are committed to ensuring our strategies and processes are informed and directed by local priorities. In order to ensure the Scheme of Assistance is meaningful within the local context, we have identified a number of means by which you can become involved with (or comment on) the Scheme:

Local Events and Meetings

- The Council hosts twice yearly 'Local Housing Forums' which provide an opportunity for home owners or private sector tenants to engage in our strategic process.
- A Private Landlord Working Group meets regularly and identifies specific issues within the private rented sector which require special attention.
- We also hold twice yearly Private Sector Landlord Forums, which are open to all private landlords in the area. These forums provide information to landlords on a range of topics; help inform strategic development; and provide a means by which we can evaluate our performance.

Comment and Feedback

- We have included a 'feedback form' within this document, (see Appendix 5) to allow you to comment on the Scheme of Assistance, alternatively you can use the 'Contact Us' service available through the Council's website.
- All of our public events, such as our Forums, include feedback and comment forms which are analysed for service improvement and event newsletters.
- In addition, you can telephone or email us (see back cover of this document for details).

SERVICE STANDARDS

North Ayrshire Council's Customer Charter sets out the standards of service you are entitled to expect from us. We aim to provide a high quality service we can be proud of and which will meet your needs. You are entitled to expect that we will:

- be polite, respectful and helpful when dealing with people face to face or on the telephone
- wear name badges where appropriate so you can recognise us
- provide an efficient and effective service from the first point of contact, through to conclusion
- observe privacy and confidentiality where appropriate
- respond to your needs in order to access our services, and
- monitor, evaluate and publish our performance.

Our full Customer Charter is available from our website or from any Council office.

APPEALS AND COMPLAINTS PROCESS

While we strive to provide the best possible service, we do recognise that things can go wrong. If you are unhappy about the service you have received, we operate a three stage complaints process (see Appendix 4).

Improving Property Condition

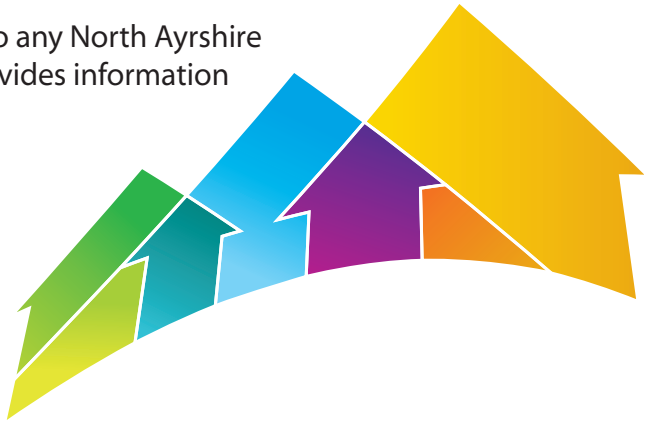
A key aim of the Scheme is to encourage responsible home ownership.

This section outlines the services available to assist home owners maintain, repair and improve their properties. Advice and information will focus on assisting home owners to meet their responsibilities in terms of keeping their properties in a good state of repair.

INFORMATION AND ADVICE

The Private Sector Advice Line is available to any North Ayrshire resident living in the private sector, and provides information and advice on issues such as:

- property condition
- tenancy rights and responsibilities
- common repairs and avoiding disputes
- energy efficiency
- landlord registration, and
- empty homes.



As well as assisting you directly, we can also signpost you to other agencies that may be able to help you.

MAINTENANCE PLANS

By planning maintenance work in advance, a home owner can reduce the likelihood of costly repairs arising.

We can assist home owners to prepare voluntary maintenance plans for their homes. These allow maintenance work and property condition inspections to be scheduled, and include timescales and costs for work.

These plans may be particularly useful for owners of properties with common areas in order to help deal with any future communal repairs and avoid potential disputes.

COMMON REPAIRS

If there is work required to the common parts of a shared building, owners initially should try to make contact with other owners in their block, with whom they share responsibility for the upkeep of the property.

However, we recognise that property owners can experience difficulties managing common repairs, and we can provide impartial advice on this matter, including:

- the rights and responsibilities of owners
- the roles of property factors
- the Tenement Management Scheme, and
- resolving disputes between parties.

If the problem cannot be resolved North Ayrshire Council may choose to use enforcement powers (see "Enforcement Action" on page 10).

TOLERABLE STANDARD

The tolerable standard is a set of criterion which describes the elements of a house which are essential for it to function as a home (see Appendix 3). If a property fails one or more of the criteria then the house can be defined as 'below the tolerable standard'.

The standard focuses only on the building itself, and does not consider internal decoration, heating systems or other utilities in the house.

We have a duty to ensure that all houses in North Ayrshire, which do not meet the tolerable standard, are brought up to the standard, closed or demolished. We have a policy of taking action against poor quality housing, only where this has been reported to us.

MISSING SHARE

The Council has the power to progress common repairs by paying 'missing shares' for owners who have not contributed their share of the costs. We would then recover costs (including administration costs and interest) from the owner.

This action will only be taken by North Ayrshire Council in exceptional circumstances (and if resources permit), and only where it is proven to be a better use of resources to do so than to serve a statutory notice.

ENFORCEMENT ACTION

The Scheme of Assistance aims to encourage and support owners to take responsibility for the condition of their property. However, there may be situations - such as when a property is in serious disrepair - where the Council will consider taking enforcement action.

Any action taken will be permitted through the enforcement powers granted by the Housing (Scotland) Act 2006.

Enforcement action will only be taken where, after taking account of all circumstances, advice and assistance has been ineffective, or the problem has not been addressed in a reasonable period of time.

Whilst the Council has power to serve such statutory notices, it is not legally obliged to do so. Statutory notices will only be served where resources permit.

Maintenance Orders

North Ayrshire Council can serve a maintenance order if an owner has not maintained a property to a reasonable standard.

A maintenance order requires the owner to produce a maintenance plan that demonstrates the works that will be carried out to improve the condition of the property. A maintenance plan should include timescales and the costs of the work.

Advice and assistance is available to those served with a maintenance order.

Work Notices

We can serve work notices on owners of properties which are sub-standard. Owners should then arrange to carry out the work themselves. The Council can also carry out the work if the owner agrees and at the owner's expense (however we are not obliged to do so).

If the owner does not comply with the works notice within the time set out, the Council can carry out the work and reclaim all costs from the owner. This can be done by means of a repayment charge which is secured against the title deeds of the property.

Advice and assistance is available to those served with a works notice.

HOUSING RENEWAL AREAS

A Housing Renewal Area is an area that we have identified as one where property conditions and quality needs to be improved; it may comprise just a few properties or could cover a larger area.

We may consider designating a Housing Renewal Area, in response to concerns raised locally, and if:

- there are a significant number of substandard houses in one area (i.e. a minimum of 50%). A property may be substandard if it:
  - doesn't have a basic level of repair and lacks important facilities such as an indoor toilet (i.e. tolerable standard).
  - is in a serious state of disrepair.
  - needs repair and the condition is likely to worsen, or could cause damage to other premises if nothing is done to repair it.
- or, the disrepair of a house or houses is adversely affecting the quality of the surrounding area.

The decision to declare a Housing Renewal Area will be based on the relationship between the property and local neighbourhood, rather than a technical assessment of property condition.

Public consultation with owners of affected properties and an 'Options Appraisal' exercise will be undertaken before we designate a Housing Renewal Area.

EMPTY HOMES

Empty homes are detrimental to the local environment as they are often the target of antisocial behaviour. They are also more likely to fall into disrepair – indeed disrepair is the most common reason for properties remaining unoccupied.

We are working with the Scottish Empty Homes Partnership, set up by the Scottish Government and Shelter Scotland, to help bring empty homes back into the affordable housing supply.

We are also currently in the process of developing an Empty Homes Strategy to support home owners bring their properties up to standard and back into the viable housing supply.

LANDLORD ACCREDITATION SCHEME

The Council has entered into a partnership with Landlord Accreditation Scotland, the national voluntary landlord accreditation scheme that promotes best practice in management standards within the private rented sector.

We will promote membership of the scheme, which is open to all private sector landlords and letting agents. Participation provides tenants with confidence that their landlord strives to achieve good practice in both tenancy arrangements and property condition, and is committed to meeting the standards outlined in the Scottish Core Standards for Accredited Landlords.

MEDIATION SERVICES

Mediation is an informal, voluntary way of resolving disputes between households. These may include disagreements over the need to carry out repairs to common areas, issues of antisocial behaviour, boundary problems or verbal abuse.

Trained mediators do not take sides. They arrange for parties to meet in neutral venues and help those involved in a dispute come to an agreement, which will improve things for everyone concerned.

The North Ayrshire Mediation Service is independent of the Council, confidential and free of charge. Participation does not prevent you from seeking advice from other agencies, or prevent you from taking further legal action.

If you are interested in accessing mediation services within North Ayrshire, contact the Private Sector Advice Line.

Adaptation of Properties

This section outlines the services that are available to people living in the private sector that may need an adaptation within their home.

The Council has a responsibility to assess a person's needs and to arrange appropriate services. However, as funds are limited, we need to ensure that we work with people in the greatest need. To assist us to do this we have developed an assessment process and associated eligibility criteria.

ASSESSING NEED

Before we can consider making any funding available, a 'needs assessment' has to be carried out by North Ayrshire Council's Social Services.

A needs assessment is where an Occupational Therapist helps to establish, in discussion with you: the best way to resolve any difficulties; meet your current needs; and prevent the breakdown of care at home in the community.

Any assessment will look at the main areas of need which can have an impact on your independence, including the health and safety of yourself and others and your ability to manage personal care and daily routines.

The assessment may be carried out over a period of time. If an adaptation to the home is the agreed solution, the Occupational Therapy service will confirm the applicant's needs, proposed works, and level of priority.

Any permanent adaptation work proposed should, wherever possible, take into account how your needs may change and evolve over the medium to longer term. Not only does this help avoid the need for further applications but it also helps avoid more disruption if additional work becomes necessary at a later date.

In private rented accommodation assistance to adapt a property is provided to the tenant, not the landlord, as it is their needs which are being met.

The leaflet Fair Access to Community Care Services in North Ayrshire details how you can arrange to have your needs assessed.

For more information on the above process, please see the flow chart detailed in Appendix 1, which sets out the assessment process, or contact the Private Sector Advice Line.

MANDATORY FINANCIAL ASSISTANCE

We have a duty to contribute to the cost of approved work, where it has been assessed that these are essential to allow a disabled person to live in either owner occupied or private rented accommodation. This contribution is a minimum of 80% of the cost of approved works for standard amenities and is available in the following situations:

- to allow access within your home to standard amenities
- for the provision of an additional or replacement standard amenity, or
- for an extension or structural adaptation to allow provision of, or access to, a standard amenity.

Standard amenities include:

- water closet (flushing toilet)
- sink with both a hot and cold water supply
- fixed bath or shower with both a hot and cold water supply
- financial assistance towards the cost of providing a bathroom external to the main structure of the home (e.g. within a new extension but not including any living accommodation)
- adaptations to a kitchen sink (not units) to make it accessible for use
- alterations to allow access to a standard amenity (e.g. widen doors).

It is important to note that extensions to provide additional living accommodation are not included within the scope of mandatory financial assistance.

CONDITIONS FOR FINANCIAL ASSISTANCE

It is important to remember that the receipt of funding, even after assessment, will be conditional on you acquiring all the appropriate building warrants, planning permissions and the consent of the landlord (for tenants), and of other owners (where the adaptation is likely to impact on common areas of property).

There are often conditions which may apply if you are awarded financial assistance. These conditions will be discussed with you in detail when a formal financial assistance application is made.

HARDSHIP CONTRIBUTION

If you qualify for mandatory financial assistance (i.e. 80% of the cost of approved works), but are unable to afford the remaining 20% cost of the adaptation, the Council may be able to help by providing a hardship contribution to cover the balance.

This contribution will only be provided in exceptional circumstances, such as:

- you are already living in the most suitable type of accommodation for your needs and the assessing officer confirms that the adaptation proposed would be suitable for the longer term
- your assessed needs could only be met by staying in your current property and having it adapted, or
- moving would have a significant detrimental impact on your health.

Even if one of the above criteria is met, we will only increase our funding to 100% of the cost of approved works for those in receipt of the following qualifying benefits (or for those who can demonstrate financial hardship and have no resources to access):

- Income Support
- Income Based Jobseeker's Allowance
- Pension Credit (guarantee element), or
- Employment Support Allowance (income related).

Each application for a hardship contribution will be judged on its own merits and due to demand, such assistance, even in exceptional circumstances, may not be provided.

REINSTATEMENT OF AN ADAPTED PROPERTY

We can provide information and advice to tenants and landlords concerning reinstatement of a property that has previously been adapted, to return that property to the original condition (i.e. before the adaptation was carried out).

Where a landlord has agreed to the adaptation but placed a condition requiring reinstatement (in terms of S.52 (5) (b) of the Housing (Scotland) Act 2006), the Council will expect the landlord to firstly look for a new tenant who could make use of the adaptations.

The Council may be able to assist landlords to locate suitable new tenants. If a new tenant cannot be found, in certain circumstances we will meet 80% of reinstatement costs for those adaptations that are making it difficult to re-let the property.

The Council will not give funding for reinstatement to owner occupiers.

NORTH AYRSHIRE CARE AND REPAIR SERVICES

North Ayrshire Care and Repair Service provides those who are over 65 years, and who are home owners or private sector tenants, with access to a wide range of services which are aimed at allowing them to remain living in the comfort and safety of their own home.

Care and Repair Services offer independent advice and assistance to help home owners repair, improve or adapt their homes so that they can live in comfort and safety at home in their own community.

North Ayrshire has two Care and Repair Schemes, one of which provides a service for Arran with the other covering the rest of North Ayrshire. Both Care and Repair Services offer the following:

- advice and information services
- assistance with property repairs
- referrals to other agencies for matters relating to energy saving advice, home safety and benefits entitlement
- home safety and home security measures
- home safety referrals, and
- access to a small repairs service.

For more information on Care and Repair Services, please contact the Private Sector Advice Line.

ADVICE AND ASSISTANCE

Advice and assistance services which will always be offered to residents who require to adapt their home include:

- suggestions for financial solutions (e.g. low cost loans)
- advice on re-letting and selling adapted properties and removal/recycling of equipment
- advice on housing matters, such as landlord and tenant responsibilities
- referrals to agencies who provide advice regarding maximising income and money issues
- referrals for home safety and security checks
- referrals to agencies, such as the Disabled Persons Housing Service to discuss re-housing options, and
- referrals to Social Services and Health to discuss care needs.

Appendix 1

ASSESSMENT PROCESS FOR AN ADAPTATION

You identify that your current property may not be suitable for your needs.

You contact the Private Sector Advice Line, or on Arran, the Arran Social Services Area Team.

Independent Living Service prioritises responses according to need. With your agreement, the social worker/care manager will seek a specialist assessment of your needs from the Independent Living Service.

The Independent Living Service carries out community care assessment or specialist assessment.

The Assessor (on Arran the Assessor works in partnership with Care and Repair) considers whether an adaptation or an alternative option offers the best solution and supports you through the most appropriate process including:

- Advice on the appropriateness of alternative housing
- Advice on equipment and/or care support options, or
- Supply of equipment and the issue of invoices.

The Council considers applications for financial assistance. If the criteria is met, funding is awarded (100% funding is only awarded in exceptional circumstances).

If applicable, you instruct the contractor to proceed.

The Independent Living Service/Arran Social Services checks to confirm that the adaptation has been carried out to a satisfactory standard, and seeks correction if this is not the case.

Appendix 2

CONTACTS

Private Sector Advice Line
North Ayrshire Council
5th Floor Cunninghame House
Irvine
KA12 8EE
Telephone: 01294 324644
Email: psadvice@north-ayrshire.gov.uk

Advice Service Capability Scotland
Telephone: 0131 313 5510
Textphone: 0131 346 2629
E-mail: advice@capability-scotland.org.uk

Antisocial Behaviour Team
North Ayrshire Council
Housing Services - ASB/CSS Team
PO Box 8319
Irvine
KA12 2AL
Telephone: 01294 314692

Care Inspectorate
Compass House
11 Riverside Drive
Dundee
DD1 4NY
Telephone: 01382 207100
Helpline: 0845 600 9527
Web: www.careinspectorate.com

Care and Repair (Isle of Arran)
Isle of Arran Homes
Springbank
Brodick
Isle of Arran
Telephone: 01770 302888
Email: arrancareandrepair@trustha.org.uk

Care and Repair (North Ayrshire Mainland)
Cunninghame Housing Association
82/84 Glasgow Street
Ardrossan
KA22 8EH
Telephone: 0800 068 1464
Email: care&repair@chaltd.org

Citizens Advice Bureau
22A Eglinton Street
Irvine
KA12 8AS
Telephone: 01294 278051
Fax: 01294 311417
Email: bureau@irvinecab.casonline.org.uk

Energy Officer
North Ayrshire Council
Perceton House
Perceton
Irvine
KA11 2AL
Telephone: 01294 225100

Energy Saving Scotland Advice Centre
Freephone: 0800 512 012

Scottish Association of Landlords (SAL)
22 Forth Street
Edinburgh
EH1 3LH
Telephone: 0131 270 4774
Email: info@scottishlandlords.com
Web: www.scottishlandlords.com

Scottish Public Services Ombudsman
Freepost EH641
Edinburgh
EH3 0BR
Telephone: 0800 377 7330
Email: ask@spso.org.uk
Web: www.spso.org.uk

Appendix 3

TOLERABLE STANDARD DEFINITION

The tolerable standard is a set of criteria which describes the elements of a house which are essential for it to function as a home. The tolerable standard focuses only on the building itself, and does not extend to internal decoration, heating systems or other utilities in the house. The tolerable standard applies to houses of all tenures.

A house meets the tolerable standard if it:

- is structurally stable
- is substantially free from rising or penetrating damp
- has satisfactory provision for natural and artificial lighting, for ventilation and for heating
- has satisfactory thermal insulation
- has an adequate piped supply of wholesome water available within the house
- has a sink provided with satisfactory supply of both hot and cold water within the house
- has a water closet or waterless closet available for the exclusive use of the occupants of the house and suitably located within the house
- has a fixed bath or shower and a wash-hand basin, each provided with the satisfactory supply of both hot and cold water and suitably located within the house
- has an effective system for the drainage and disposal of foul and surface water
- in the case of a house having a supply of electricity, complies with the relevant requirements in relation to the electrical installations for the purpose of that supply
    - "the electrical installation" is the electrical wiring and associated components and fittings, but excludes equipment and appliances
    - "the relevant requirements" are that the electrical installation is adequate and safe.
- has satisfactory facilities for the cooking of food within the house, and
- has satisfactory access to all external doors and outbuildings.

To meet the tolerable standard a house must comply with all the criteria. If the house fails to meet any of the criteria then it is deemed to be below tolerable standard.

Appendix 4

APPEALS AND COMPLAINTS PROCESS

Stage 1- Informal Complaint
You can speak to the staff of the particular Service either in person or by telephone and they will attempt to resolve the matter for you quickly and informally 'on the spot'. You can also use the Council's Listening and Learning Customer Comments Form (available to download from our website), write a letter or send comments electronically using the 'Contact Us' facility available on our website.

Stage 2 – Formal Complaint
If a complaint cannot be resolved right away, or if you are still unhappy following Stage 1, or if you specifically request a written response, the Service involved will investigate the matter and respond in writing to you.

Stage 3 – Review by a Corporate Director
If you still remain unhappy following Stage 2, you can request a review of your complaint. This will be conducted by the Director (or equivalent) of the Service being complained about.

Social Services complaints
Following Stage 3 in the case of complaints about Social Services only, you can also request that the Social Work Complaints Review Committee looks into the matter. Your request should be made within one month of receiving the Stage 3 response.

Where any complaint cannot be resolved, you also have the option to complain to the Scottish Public Services Ombudsman (see Appendix 2 for contact details).

If a Social Services complaint has not been resolved, a further complaint can be made to the Care Inspectorate (see Appendix 2 for contact details).

Appendix 5

FEEDBACK FORM

Consultation is a key part of delivering our Scheme of Assistance and we are committed to continually improving the quality of our communications and events. We would appreciate your feedback and welcome any views you have on how we can improve.

Name: _____ Organisation: _____

Address: _____

Telephone: _____ E-mail: _____

Please rate the following statements in relation to the published North Ayrshire Scheme of Assistance	Strongly Agree	Agree	Disagree	Strongly Disagree
I believe that the range of advice and assistance proposed for those in the private housing sector is sufficient	☐	☐	☐	☐
I think the document addresses the main issues for those in the private housing sector in North Ayrshire	☐	☐	☐	☐
I felt more informed after reading the document	☐	☐	☐	☐

I would be interested in receiving invitations to stakeholder events ☐

Additional comments:

_____

_____

_____

Please return all completed forms to:
Development & Strategy Manager, North Ayrshire Council,
Community Care & Housing, **FREEPOST** SCO2742, Irvine, KA12 8BR

Telephone: 01294 324644 **Fax:** 01294 324624
or alternatively **e-mail** your comments to: psadvice@north-ayrshire.gov.uk

Any comments or queries in relation to this document should be directed to:

Development & Strategy Manager
'Scheme of Assistance'
North Ayrshire Council
Community Care & Housing
FREEPOST SCO2742
Irvine
KA12 8BR

Telephone: **01294 324644**
Fax: **01294 324624**

Email: psadvice@north-ayrshire.gov.uk

NORTH AYRSHIRE
Local Housing Strategy
2011-2016

Comments or questions about this strategy, including requests for supporting information or documentation, should be made to:

Development & Strategy Manager
'Scheme of Assistance'
North Ayrshire Council
Community Care & Housing
FREEPOST SCO2742
Irvine
KA12 8BR

Telephone: **01294 324644**
Fax: **01294 324624**

Email: psadvice@north-ayrshire.gov.uk

NORTH AYRSHIRE
COUNCIL

NORTH AYRSHIRE COUNCIL

Agenda Item 10

23 October 2012

Cabinet

Subject:	**Consultation on The Same As You? 2000-2012**
Purpose:	To seek the Cabinet's approval for the proposed response.
Recommendation:	That the Cabinet agrees to approve the proposed response by the Council to the Scottish Government's Adult Care and Support Branch as set out in Appendix 1.

1. Introduction

1.1 The Same As You was launched by the Scottish Executive in May 2000 and reviewed the services then available to people with learning disabilities and people on the autistic spectrum.

1.2 It said that people with learning disabilities had the right to be included in and contribute to society, to have a voice, and to have access with their families to support to live the life of their choosing.

1.3 It wanted to develop a clear direction for the improvement of services and the development of opportunities for people with learning disabilities and their carers.

1.4 The Same As You covered all aspects of peoples lives including accommodation options; caring support services; access to educational and vocational opportunities; employment; access to leisure and recreational activities; health; advice and transport. It contained 29 recommendations intended to drive a change programme to improve services.

2. Current Position

2.1 In 2010 the Scottish Government set up an evaluation team to review the evidence on progress that had been made since the Same As You and to identify the challenges that remain.

2.2 It produced three reports:

- An evidence scoping paper: summarising the published evidence on progress on the 29 Same As You recommendations
- A health scoping paper: reviewing the health needs of people with learning disabilities and development to improve their health with an appendix about parents with learning disabilities.
- An evaluation report: reporting the results of face-to-face interviews with 49 people with learning disabilities and family carers.

2.3 The purpose of this consultation report is to summarise the evidence which the evaluation team has gathered about the progress on the Same As You. The main findings of the report are :

- the value and relevance of the principles set out in *The same as* you? are confirmed by all aspects of the evaluation; people with learning disabilities want support to live independent lives and an end to discrimination
- since 2000, more than 1,000 people have moved out of hospital into homes in the community. The closure of all the long-stay learning disability hospitals is a key achievement from *The same as you?* The overwhelming majority of adults with learning disabilities now live in the community. More people have experience of supported living, although some people are still in inappropriate placements and there is a wide variation in packages of support
- the education of people with learning disabilities is taken much more seriously. More people go on to college than in the past, but transition from school is still an issue, as is learning skills and moving into work
- those in work benefit economically and socially. Supported employment has been shown to be cheaper and more beneficial than day services. However, only a minority are in paid work
- people have access to a more varied and meaningful range of day opportunities that involve them in the community. Day services have diversified including for people with complex needs

- a majority of people have been asked about what they want to happen in their lives. Individual planning and flexible support has increased independence. People with access to flexible funding have used this to develop leisure and meaningful opportunities. Life Plans can be effective where followed up and reviewed
- improved access to meaningful activities and social relationships has benefitted people's wellbeing. Both people with learning disabilities and family carers felt that greater social opportunities and inclusion have improved public attitudes
- people generally felt safe in their homes and out and about. However, bullying and harassment is still a serious concern
- being healthy underpins all other activities. Many people with learning disabilities are aware of healthy living messages, but encounter barriers to putting these into practice.

2.4 The attached Appendix 1 is the proposed response by the Council to the consultation report.

3. Proposals

3.1 The Cabinet is invited to approve the proposed response by the Council to the Scottish Government's Adult Care and Support Branch as set out in Appendix 1.

4. Implications

Financial Implications

4.1 None

Human Resource Implications

4.2 None

Legal Implications

4.3 None

Equality Implications

4.4 None

Environmental Implications

4.5 None

Implications for Key Priorities

4.6 The consultation supports the Council's key priorities as outlined in the single outcome agreement, specifically national outcome 10 'we live in well defined sustainable places where we are able to access the amenities and services we need.'

The consultation also contribute to the Council's plan of supporting vulnerable people.

5. Consultations

5.1 Consultation events have been held:

- On 28 August 2012: with staff from Social Services Learning Disabilities Team, Children and Families (Disabilities Team), Educational Services and NHS Community Learning Disabilities Team.
- On 7 September 2012: with services users and carers.
- During the weeks commencing 27 August and 3 September with service users who attend learning disabilities day services.

5.2 All of the responses from these consultation events have been collated and inform the response submitted by the Council as set out in Appendix 1.

6. Conclusion

6.1 The findings of the evaluation report generally reflect the view that services for people with learning disabilities have improved and the profile of this group has been increased as a result of the Same As You initiatives.

6.2 Changes within services have improved the quality of life for people with learning disabilities. They are now able to access more opportunities and have a wider range of services available in order to help them to become more involved in their communities.

IONA COLVIN
Corporate Director (Social Services and Health)

Reference : JMcC/LP
For further information please contact John McCaig, Senior Manager, Mental Health/Learning Disabilities on telephone number 01294 317700

Background Papers
Consultation document

***The same as you?* – Consultation**

The same as you? is the policy belonging to people with learning disabilities in Scotland. It was launched by the Scottish Executive in May 2000 and reviewed the services available at that time to people with learning disabilities and people on the autism spectrum. It contained 29 recommendations intended to drive a change programme which would improve services. The recommendations were underpinned by principles recognising the individuality and worth of every person with a learning disability in Scotland; their right to be included in, and contribute to, society and their right to have a voice, support and to live the life of their own choosing.

In 2010 the Scottish Government set up an Evaluation Team to find out how the lives of people with learning disabilities and/or on the autism spectrum and their families have changed since the launch of *The same as you?*
What improvements have there been and what challenges still remain?
The results of the evaluation will be used to inform priorities for further policy and service development.

The evaluation process highlighted a number of areas where further work was still required, for example:

- Healthcare
- Education
- Housing
- Employment

We would now like to hear your opinions on the outcome of the evaluation and how we can improve things in the future. This is important as your opinions, along with the outcomes of the evaluation, will be taken forward to inform, develop and produce a new policy document for people with learning disabilities.
A new national learning disability strategy group will be formed to work on this new policy during 2012.

The following questions ask about your opinions and experiences so we would appreciate it if you could take the time to respond as we only have a limited amount of funding to do this work so we need to make sure we are spending this on the right areas.

The same as you? – Consultation

RESPONDENT INFORMATION FORM
Please Note this form **must** be returned with your response to ensure that we handle your response appropriately

1. Name/Organisation

Organisation Name

Social Services

Title **Mr** ☒ **Ms** ☐ **Mrs** ☐ **Miss** ☐ **Dr** ☐ ***Please tick as appropriate***

Surname

McCaig

Forename

John

2. Postal Address

North Ayrshire Council		
Social Services & Health		
4th Floor, Cunninghame House		
Irvine		
Postcode KA12 8DB	**Phone** 01294 317700	**Email**

3. Permissions - I am responding as…

Individual ☐ / **Group/Organisation** ☒

Please tick as

(a) Do you agree to your response being made available to the public (in Scottish Government library

(b) Where confidentiality is not requested, we will make your responses available to the public on the following basis
Please tick ONE of the following boxes

Yes, make my response, name and address all available ☐

or

Yes, make my response available, but not my name and address ☐

or

Yes, make my response and name available, but not my address ☐

(c) The name and address of your organisation ***will be*** made available to the public (in the Scottish Government library

Are you content for your ***response*** to be made available?

Please tick as appropriate
☒ **Yes** ☐ **No**

(d)	We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise? ***Please tick as appropriate*** ☐ **Yes** ☐ **No**

CONSULTATION QUESTIONS

Progress and Challenges

Q.1 Do the findings of the evaluation broadly reflect your views about services for people with learning disabilities/carer?

Yes ☒ No ☐

The findings generally reflect the view that services for people with learning disabilities have improved. The profile of this group has been increased as a result of the Same As You initiatives. Changes within the services has improved the quality of life for people with learning disabilities.

There is some concern that the number of people with learning disabilities who were interviewed as part of the evaluation report was very small and may not necessarily be representative of the wider population.

There are now more opportunities for people with learning disabilities and many more are supported to live within their communities. There is more access to educational opportunities and a wider range of day opportunities, which offer better scope to become involved in the community.

The challenges identified in the evaluation report are recognised as being relevant to people in North Ayrshire. Better forward planning and communication with carers and people with learning disabilities is required, particularly during transition from school to adulthood. Better information about what services other opportunities are available would improve peoples' experiences.

The report highlights the issues impacting on appropriate access to health care, which results in health inequalities. This is welcomed as is the acknowledgement of the challenges in accessing meaningful paid employment.

Q. 2 Can you give examples, either locally or nationally, of what you think has worked well over the last 10 years of *The same as you?*

Nationally the establishment of the Scottish Consortium for Learning Disabilities has been a useful conduit for raising the profile of people with learning disabilities. The organisation has led the agenda in highlighting the issues effecting the group as well as providing valuable research and analytical information.

The closure of the long stay institutions has been very successful and many more people with learning disabilities now live within their local communities. The hospital retraction programme has worked very well in North Ayrshire. A robust partnership arrangement was established between Social Services and NHS Learning Disabilities Service community and in-patient staff and Housing Services. Comprehensive assessments were undertaken to identify the support needs and housing needs of the people leaving the hospitals. There was extensive consultation with service users and carers and individual care plans were agreed and implemented as part of the partnership approach. This included packages of support and identification of suitable specially adapted tenancies for people within their home communities. In some cases, new build specifically designed tenancies were commissioned. The partnership arrangements have continued to work very well in the on-going operational activities.

Since 2009 a significant re-configuration of the Council's Learning Disabilities Day Services has been underway. The intention was to move away from the traditional Adult Training Centre format to a more flexible, diverse and person-centred programme of activities across the 3 main sites in Kilwinning. Extensive consultation took place with service users, carers and staff along with a review of the resources available. As a result, the range of opportunities on offer has increased and specific services have been established as outlined below:

- Young people in transitions – the programme of activities includes life skills; IT skills; community activities.
- People on the autistic spectrum or whose behaviour challenges - the programme involves a personalised structured approach in a designated, safe environment. Significant progress has been made in supporting this group to engage with the wider service user group within the service.
- People with Down's Syndrome and dementing symptoms – the programme includes Life-Story and reminiscence activities; slower paced activities. Staff received specialist training which was designed and delivered in conjunction with NHS community staff.
- Social enterprise type activities (see response to question 4 for more information)

Throughout this period there has been significant investment in resources and equipment including a sensory room for relaxation and sensory experiences. One of the services received a National Care Accolades Award for its work in developing a new format for reviews using PowerPoint and pictorial images.

As part of the move away from NHS institutional care including residential respite, a new purpose built 8 – bedded social care respite service was established. A provider organisation was commissioned to operate this service on behalf of the Council. This provides residential respite to adults with learning disabilities who have a wide range of support needs from complex care (including health needs and challenging behaviour) to mild learning disabilities. The service was designed and commissioned in partnership with NHS staff and carers. A carers respite reference group was established as part of this work and continues to play an important role in service planning.

As a further development a short breaks service was commissioned to offer more flexible alternatives to residential respite through supported short breaks to a range of settings such as cities, holiday centres, holiday resorts.

Access to health care has been improved through the introduction of a Fast Track Card for use by people with learning disabilities. Other measures such as annual health checks, comprehensive health assessments, Acute Primary Liaison Nurses, hospital information booklets and more user friendly communication sharing have also improved the experiences of people with learning disabilities.

The establishment of a designated Social Services assessment and care management team for learning disabilities has promoted a consistent approach to meeting the needs of people with learning disabilities. Joint working with the NHS community team is well established. The team also enables an integrated approach between the fieldwork and service delivery teams within Social Services.

A programme of Learning Disabilities AwarenessTraining was designed and delivered by Social Services and NHS staff. This has contributed to raising the profile of people with learning disabilities in North Ayrshire.

Q. 3 Can you give examples of issues in current work and/or policies that still need to be addressed?

The implementation of the Self-Directed Support agenda will have implications for people with learning disabilities. The opportunity for more choice and control has the potential to enhance the experience for people and their carers but for some there are risk factors, which need to be considered in order to provide appropriate support and protection where necessary. The uptake of Self-Directed Support opportunities has the potential to impact on the availability of current services both those commissioned and delivered. Commissioning and planning needs to take this into account.

As identified in the evaluation report, transitions particularly from childhood to adulthood continue to be challenging. More robust communication between relevant services within the Council and the NHS as well as with young people and their carers is required. A transitions protocol for Social Services staff is in place but this needs to be reviewed and a pathway established to improve the experience of young people and their carers. A supported self-evaluation exercise will be undertaken which will identify an action plan to improve the process.

The integration of Health and Social Care agenda will also inform commissioning and service delivery strategies and robust communication and consultation with those who access services and their carers will be required.

The change to the Independent Living Fund and the Welfare Reform changes will also impact on people with learning disabilities. Information, advice and support requirements need to be addressed. Services need to be robust in their communication and consultation with people with learning disabilities and their carers to ensure that information and support is available and accessible. A corporate action plan and communications strategy is being developed.

Good Practice – Organisations

Q. 4 Can you provide examples of what you have done over the last 10 years, within your organisation, to improve services and access to services within your local area?

In addition to the aforementioned changes to respite, day services and supporting people in their own homes, Social Services has developed social enterprise type activities within one of the day services as outlined below:

- 'Lunch to Go': is a catering service providing lunches and snacks to an increasing customer base. Service users have undergone a programme of training including literacy and numeracy skills and food and hygiene in order to work with support from staff to provide this service. The aim is to operate from more than one site and increase the outside catering service in order that the project becomes a social enterprise. The feedback from the service users is extremely positive, as they have grown in confidence through learning new skills and experiencing better opportunities.
- Desk Top Publishing: service users have received support and training in IT and printing skills. The service delivers a wide range of stationery and publications for a broad local customer base. The potential for a social enterprise is also being explored as the service develops.
- Cards, Stationery and Gifts: service users design and produce a wide range of small gifts, stationery and cards and is developing a customer base. The longer-term aim is that this grows into a social enterprise as well.
- Horticultural Project: is being developed in partnership with a provider with experience in supporting people with learning disabilities. The project will provide a horticulture and grounds maintenance service which will offer training and supported employment placements to people with learning disabilities. The aim is that the project also becomes a social enterprise and creates more employment opportunities.

These initiatives all have the potential to develop into social enterprises and will create an alternative to day services where people learn about employability skills and access a more diverse and meaningful range of opportunities within the community.

The Job Support Service within the Social Services Learning Disabilities Team has expanded its range of activities to more than job coaching and on-site support. The service is now involved in delivering a Literacy Project in partnership with Adult Education and Skills to provide a range of classes and training for adults with learning disabilities to improve their literacy, numeracy and independent living skills. The overall objective is to enhance the learners' employability skills and to enable them to participate more fully within their local communities.

In addition, the Job Support Service is also delivering training within some

schools and colleges to prepare young people for access to work opportunities.

Social Services staff have received specific training in relation to:

- Dementia (and the link with Down's Syndrome)
- Behaviour which challenges (particularly when exhibited by people on the autistic spectrum)
- Person Centred Planning

This has often been done in partnership with NHS staff. In addition, two Social Services staff were funded for a qualification in autism to enable them to be a resource for the wider staff group.

A person centred planning tool, Lifestyle Plan, has been developed to promote appropriate planning for people with learning disabilities. A team of facilitators is in place to deliver this to those who wish a plan and the work is done with intensive involvement from people with learning disabilities, their carers, NHS staff and other relevant people in the person's life.

Good Practice - Individuals

Q.5 What have you done, as an individual, to make positive changes within your local area?

Some examples of how individuals in North Ayrshire have demonstrated their commitment to the principles of the Same As You are:

- Staff Members have proposed initiatives such as The Literacy Project; involvement in work preparation for young people in schools and colleges; the development of the person centred planning tool in use within the service, service user's forum.

- Carers and other family members have been involved in volunteering work with organisations who support people with learning disabilities; organising and facilitating social groups in the evenings; the citizen leadership programme.

- Service Users accessing day services have delivered presentations to community groups to inform them about the services that are available and their experience of attending them.

Future Priorities - Healthcare

Q.6 What still needs to be done to ensure that people with learning disabilities have access to better and more appropriate healthcare?

There needs to be a better knowledge and understanding of the needs of and issues affecting people with learning disabilities among acute in-patient hospital staff. The experience of people with learning disabilities being admitted to acute settings is often difficult and compounded by a gap in understanding of the needs of this group. Admission can be conditional on support being provided from Social Services and clarification of respective roles and responsibilities can be problematic and damaging to the person with learning disabilities. Further investment in the Liaison Service would alleviate some of these difficulties. Clear pathways need to be established to cover admission, treatment and discharge planning, including commitment to the use of a Fast Track Card process. More robust follow-up measures post-discharge also need to be in place, particularly in respect of out-patient appointments.

The interface between paediatric and adult services needs to be more robust to clearly define roles and responsibilities in order to make the transition as seamless as possible.

There needs to be a better knowledge and understanding within GP surgeries of the needs of people with learning disabilities. Longer appointment times as well as screening programmes/ well man-well woman clinics need to be more accessible to people with learning disabilities. A more proactive approach from GP and Primary Care Services would serve to address health inequalities. The process of arranging/accessing clinic appointments can be difficult. Better-developed information/communication processes are necessary particularly in user-friendly/easy-read formats.

There needs to be commitment to the Learning Disabilities Service community infrastructure. A possible development is involvement of physicians within community teams.

There has to be a greater understanding of the changing needs of people with learning disabilities who are ageing particularly in relation to the link between Down's Syndrome and Dementia. Access to appropriate and knowledgeable services can be difficult to achieve. There also needs to be a link with the dementia strategy to identify services for this group. Transition processes are often determined by chronological age rather than needs led. This needs to be addressed.

Future Priorities - Education

Q.7 What still needs to be done to ensure that people with learning disabilities have access to better educational opportunities?

Improved planning for adulthood in transitions is required to ensure that young people leaving school are informed of the range of options available. The emphasis during the last year of school should be placed on planning for adulthood rather than being curriculum focused. A more integrated approach involving education, social services and health is necessary. This should include greater emphasis on independent travel training as a means of supporting people to be less dependent on services in order to access community resources.

Appropriate college courses and access to these is required. Colleges need to be challenged to design courses that consider life-long learning links to independent living skills and the development of employability skills for people with learning disabilities. College courses should evidence progression for those with additional support needs.

Responsibility for support to attend college needs a more robust framework. The Partnership Matters agenda does not address this adequately. Tensions can arise about how people with learning disabilities are supported to attend college, including access to transport support to attend.

There should be greater emphasis on the development of literacy and numeracy skills for people with learning disabilities. These skills are the 'gateway' to life-long learning and more focus is required to support individuals to achieve their full potential. Outreach programmes from colleges would support this agenda.

Further investment in changing facilities in colleges and support regarding these tasks is required as both of these factors impact on access to educational opportunities.

Future Priorities – Independent Living

Q.8 What still needs to be done to ensure that people with learning disabilities are able to live independently?

The Same As You increased the number of people supported to live in their own tenancies. This model does not suit everyone and in many cases leads to people being isolated in their own homes. There is a need to develop a wider range of accommodation models with support, such as:

- Shared tenancies
- "Clusters" of tenancies with staff support available locally
- Commissioned/designed specialist accommodation for people with complex needs with staff support on site. Partnership arrangements need to be robust in addressing this.

This diversity of options would offer opportunities for people to be supported appropriately and make efficient use of available resources. Individual tenancies with staff support often means that people with learning disabilities only meet paid carers and this can be an overly invasive model. Shared support arrangements, incorporating appropriate telecare equipment, will offer greater flexibility in meeting the needs of those requiring support. There needs to be greater emphasis on the housing needs with people with learning disabilities when commissioning strategies are being developed. Stronger links need to be made to the Local Housing Strategy to ensure that the needs and aspirations of people with learning disabilities are planned and provided for.

There needs to be better forward planning in transitions to prepare young people to develop independent living skills. Current processes focus on dependence rather than potential for independence. Extensive work is required to fully inform young people and their families of options and support that are available. Social Services, Education and Health need to work more collaboratively to support young people into adulthood as part of the development of a culture of promoting independence and enterprise.

In many cases carers are ageing and experiencing (or beginning to experience) health problems which impact on their abilities to sustain the caring role. There needs to be better forward planning regarding contingency measures for both the carers and the people they support. Services currently are more reactive than proactive in adapting to this changing trend. More robust communication with carers is required to develop a framework of supporting and involving carers in their caring role. This agenda needs to be reflected in the Social Services Carers Strategy which is being developed. This also needs to be part of the Community Planning work which is done in partnership.

There have been significant advances in telecare measures in recent years. Organisations need to be fully aware of the equipment and aids which are available and ensure that this information is widely cascaded to staff, service users and carers to maximise the potential for use of this developing

support environment. Often the equipment is available but the response service to any crisis (out of hours) is not sufficiently developed. Social Services need to address this area.

Future work needs to involve a culture change from within organisations, and involving carers and service users, to enable people with learning disabilities to achieve their full potential within their communities. There needs to be a shift from placing a focus on risk factors and disabilities which potentially creates an over-dependence on services to an enablement approach. This will require a significant change of approach to risk enablement from assessment staff, commissioners of services and partnership colleagues to consider how the capabilities and potential of people with learning disabilities can be enabled through how they are supported to achieve outcomes within available resources. Carers need to be encouraged to be involved in taking this approach.

The implementation of the Self Directed Support agenda supports this culture change and will encourage the development of informal support networks in order to increase community capacity. Statutory organisations need to promote and support the development of a wider range of community options to enhance people with learning disabilities to live more independently within the context of available resources.

There are increasing numbers of people with complex needs. Measures need to be in place to ensure that support staff are appropriately trained in areas such as autism, epilepsy, behaviour which challenges. The Self-Directed Support agenda focuses on an outcomes based approach. Assessors, commissioners, support staff and provider organisations need to work collaboratively to ensure that people with learning disabilities are supported to achieve their desired outcomes as far as possible.
Easy-read signage in bus stops/train stations would promote independence within the community.

Future Priorities – Employment

Q.9 What still needs to be done to ensure that people with learning disabilities have access to better employment opportunities?

The number of people with learning disabilities in meaningful paid employment continues to be very low. They remain far from the labour market and this is increasingly challenging at this time.

As described in response to question four the Learning Disabilities Service in North Ayrshire has developed employment support services in the last few years particularly in terms of social enterprise type activities. Further work is necessary to expand these initiatives into social enterprises with a view to sustainability and opportunities for meaningful paid employment for the workforce.

This will require involvement from the Council's Economic Development Team and other corporate sections. There also needs to be better links with local employers about the needs of people with learning disabilities to develop their potential as employees. A network of employers needs to be considered as a means of integrating the approach from the different employment projects. Learning Disabilities Awareness training should be offered to potential employers to improve their understanding of the skills of people with learning disabilities.

The Social Services Job Support Service provides job coaching and support to people seeking to gain employment and although their role has diversified in the past few years, further development is being considered as part of the overall strategic approach.

A major barrier to accessing potential placements for people with learning disabilities is travel to and from work opportunities. Although an independent travel programme is in place in learning disabilities, this needs to be expanded to include a wider group, perhaps those with a greater level of support needs. This also needs to target younger people in order to reduce their dependency on services and support them to achieve their potential.

As indicated previously, the Welfare Reform agenda has implications for this service user group. A robust information and advice service needs to be in place to fully inform people of their options in respect of employment opportunities and the impact on benefit in order to support them to make appropriate decisions. The Council is preparing an action plan and communications strategy to address this agenda and ensure people are fully informed of any potential implications.

Large local organisations such as the Council and the NHS need to take the lead in offering employment opportunities to people with learning disabilities. The modern apprenticeship scheme is an opportunity to consider a positive discrimination approach whereby designated spaces are offered to people with learning disabilities.

Future Priorities

Q.10 What other future priorities do we need to focus on?
(Please list these in order of importance with the most important first)

Most service provision from the statutory organisations is provided during office hours on weekdays. There needs to be more flexible and responsive services, which offer opportunities in the evenings and weekends. The Self-Directed Support agenda will inform planning to an extent but services need to be more proactive and dynamic in meeting the needs of people with learning disabilities.

Informal social groups take place in some evenings and transport is provided to support people to attend. Resource Centres are not used out-with work hours and their potential as community resources needs to be fully explored.

Building community capacity to develop a network of volunteers/befrienders is a means of providing alternative, flexible support. This has the potential to better involve people with learning disabilities in their communities. It could lead to the establishment of peer support and social opportunities thus making people less dependent on statutory services.

Parents with learning disabilities needs to be identified and appropriate support put in place to support them as parents as well as their children. An integrated approach involving Adult Services, Children and Families Services, NHS services is necessary.

Services for people on the autistic spectrum are not well developed. This group does not fit with current service provision easily, possibly due to the diversity of need within the range of this spectrum. A small service currently operates within day services but consideration needs to be given to further developing this.

Thank you for taking the time to read the consultation document and taking the time to respond to the question. Your continued input and support is vital in ensuring that we continue to close the inequality gap that people with a learning disability face daily.

All completed questionnaires should be returned to Sarah Grant either by e-mail or at the address below. The closing date for responses is 30th September 2012.

Sarah Grant
The Scottish Government
Learning Disability Strategy
Adult Care and Support Branch
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St Andrews House
Edinburgh
EH1 3DG
Tel: 0131 2444749
Sarah.Grant@scotland.gsi.gov.uk

NORTH AYRSHIRE COUNCIL

Agenda Item 11

23 October 2012

Cabinet

Subject:	**Council House Development Project: Redstone Avenue, Kilwinning**
Purpose:	To seek Cabinet approval to tender for the Council House development project at Redstone Avenue, Kilwinning and to increase the number of units to be delivered.
Recommendation:	That the Cabinet agrees to approve (a) the procurement process, in terms of appointing a project Contractor for Redstone Avenue, Kilwinning commences and b) an increase, from 44 to 46, in the number of units to be delivered.

1. Introduction

1.1 The Housing Revenue Account Business Plan, which was approved by elected members in January 2011, has committed North Ayrshire Council to a new build program of 50 new homes per annum over the next 10 year period; based on existing Scottish Government subsidy levels.

1.2 The Mainland Need and Demand Assessment, carried out as part of the Local Housing Strategy development process, identifies an affordable housing shortfall of 2,700 homes over the lifetime of the strategy, and in the current economic climate it is not unreasonable to expect this figure to increase.

1.3 On 24 May 2011, the former Executive of North Ayrshire Council approved the submission of a bid to the Scottish Government, seeking £29,000 per unit of subsidy (ie. £1,276,000) to part fund a new 44 unit development project at Redstone Avenue, Kilwinning.

1.4 On 25 October 2011, Housing Services notified the Executive that partial funding had been forthcoming from the Scottish Government (ie. £725,000). This equated to Government subsidy of £16,477 per unit. On this date, the Executive also gave permission to progress the £5.4 million project, by appointing a design team.

1.5 A further report relating to this project was submitted to the Executive on 27 March 2012. This sought approval to award a grouting contract to infill mine shafts, located under the land throughout the site, with concrete. This would provide a site which could then be safely developed for residential purposes.

2. Current Position

2.1 Originally the forecast number of units at the site (ie. 44 units) had been identified as part of a density calculation carried out to inform the subsidy bid. A cautious density estimate had been supposed, as the site required extensive grouting works (to infill mine shafts under the land). Until such time as that exercise concluded, the full extent of developable land was unknown.

2.2 On completion of the grouting work the design team has developed a new layout which offers the opportunity to increase the number of new houses by 2, to a new total of 46 units (see Appendix 1).

2.3 It should however be noted, that if the number of units increase, the overall construction costs will also increase by an estimated £220,000 (ie. £110,000 per unit x 2 units). There will also be a further increase in the fees paid to the Design Team.

2.4 The Design Team consists of the project Architect, Engineer, Quantity Surveyor, CDM Co-ordinator and Development Agent. It is general practice that Design Team fees are based on a percentage of the overall construction cost. An increase of £14,000 (7% of the cost of the additional units) has been indicatively identified.

2.5 The Housing Revenue Account budget includes an earmarked fund for Council house building. At 31 March 2012, this fund amounted to £5,397,276. Of this balance, £1,685,573 was committed to contribute towards the original budgeted cost for the Redstone Avenue and Copeland Crescent building projects. On the 4 September 2012, the Cabinet agreed that £529,406 of the uncommitted balance could be used to meet the cost of increased tenders in relation to the Copeland Crescent, Millport development.

2.6 This leaves an uncommitted balance of £3,182,297 available within the fund, to contribute towards any costs of current and future house building projects.

3. Proposals

3.1 It is proposed that the Cabinet consider the information in section 2 of this report, and agree that the number of homes delivered by this project can be increased from 44 to 46 units.

3.2 It is further proposed that the Cabinet authorise the procurement process, for the appointment of the project contractor, to commence.

4. Implications

Financial Implications

4.1 The estimated increase in the budget requirement, to meet the cost of increasing the number of units from 44 to 46 can be met from existing monies, available within the Council House Building Fund.

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.

Implications for Key Priorities

4.6 Increases in the number of units at this site will further support 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

4.7 It will be a condition of the construction contract that the Project Contractor employs young apprentices, providing 52 weeks of employment for every £1m of contract value. Increasing the number of units in the project will increase the contract value, and in turn increase the number of apprentice weeks of employment available through the construction contract. The full details of this will not be know until such time as the Contractor is appointed, and the contract value identified.

5. Consultations

5.1 Consultation is ongoing between the Council's project Design Team (comprising Housing Services, Planning Services, Development Agent, Grounds Maintenance, Roads Services, Architect, Engineer, Quantity Surveyor, CDM Co-ordinator and Eco-Homes Assessor).

5.2 Consultation on the site layout has also been carried out with local residents and waiting list applicants.

5.3 Financial Services have been, and will continue to be, consulted throughout this project.

6. Conclusion

6.1 Housing Services seek permission to increase the number of units being delivered at Redstone Avenue from 44 to 46 units, in order to avoid the under development of this site.

6.2 Furthermore, permission is sought to commence the procurement process, in relation to the appointment of the Project Contractor.

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
None

HOUSING MIX

TYPE A	2 BED AMENITY BUNGALOW	3 UNITS
TYPE B	2 BED WHEELCHAIR BUNGALOW	3 UNITS
TYPE C	2 BED HOUSE (4P)	33 UNITS
TYPE D	3 BED HOUSE (5P)	3 UNITS
TYPE E	3 BED HOUSE (5P) GRD FLOOR BEDROOM	3 UNITS
TYPE F	4 BED HOUSE (7P) GRD FLOOR BEDROOM	1 UNITS

TOTAL 46 UNITS

PARKING:

14 VISITOR PARKING SPACES
TOTAL PARKING SPACES: 81no. (185%)

1800mm HIGH TREATED TIMBER STAINED DIVISION FENCE

900mm HIGH TREATED TIMBER STAINED DIVISION FENCE

600mm HIGH 100x100mm POST & RAIL DIVISION FENCE WITH GALVANISED CONNECTORS

BLOCK PAVIOR LAID IN HERRINGBONE PATTERN WITH CONTRASTING BANDS 2 COLOURS

APPENDIX 1

COLTART EARLEY

NOTES

SITE PLAN REVISED FOLLOWING CLIENT COMMENTS AND DESIGN REVIEW. APARTS AND REVISED GT AUG '12 — A

REVISION

TITLE SITE PLAN AS PROPOSED

CLIENT North Ayrshire Council

PROJECT New Build Housing
Redstone Avenue
Kilwinning

12004 L(90)002[A]

SCALE 1:500 DRAWN GT

CHECKED DATE JUL '12

PURPOSE OF ISSUE

COST PLAN

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NORTH AYRSHIRE COUNCIL

Agenda Item 12

23 October 2012

Cabinet

Subject:	**2012/13 Housing Revenue Account (HRA) major capital and investment programme**
Purpose:	To advise the Cabinet of progress being made in relation to the HRA major works programme.
Recommendation:	That the Cabinet notes progress being made in delivery of major works in the HRA programme for 2012/13.

1. Introduction

1.1 All social landlords are required to attain the Scottish Housing Quality Standard (SHQS) by April 2015. The Housing Revenue Account (HRA) Business Plan, approved by the then Executive on 18 January 2011, reflects the investment requirements of the housing stock and makes provision for significant investment and improvements to be made to the stock, to both meet and exceed the SHQS.

1.2 Investment decisions are derived from the stock condition information that is held by the Council and it is projected that 85% of the stock will be SHQS compliant by March 2013.

1.3 A Business Plan Implementation Group was formed in May 2010, to oversee the development and implementation of the Business Plan. The working group consisted of elected members, tenant representatives and council officers. The purpose of the group is to oversee the implementation of the Business Plan including progress towards achieving the SHQS.

1.4 The HRA capital and revenue budget for the financial year 2012/13, as approved by Council on 1 February 2012, clearly sets out the investment priorities for the current financial year. This investment is in-line with the assumptions made within the HRA Business Plan.

2. Current Position

2.1 Attached as Appendix 1, is a summary progress report to 31 August 2012, outlining all major projects being funded through the HRA this financial year.

2.2 The report provides an overview of each project and includes details of expected costs, project delivery timescales and the current status of each project.

3. Proposals

3.1 That the Cabinet notes progress being made in delivery of major works in the HRA programme for 2012/13.

4. Implications

Financial Implications

4.1 Excluding new house building activity, mortgage to rent acquisitions and open market purchases, the HRA capital budget for 2012/13 is £22,576,596. The HRA revenue budget for major works for 2012/13 is £13,838,153.

Human Resource Implications

4.2 None.

Legal Implications

4.3 Major works projects are increasingly affecting owner occupiers of former Council properties, with examples including door entry systems installations and the refurbishment work taking place at Lambie and O'Connor Courts. Where financial contributions are sought and agreements reached, Legal Services are consulted.

Equality Implications

4.4 None

Environmental Implications

4.5 The installation of high efficiency double-glazed windows, energy efficient central heating systems and insulated render systems, all contribute to reducing the public sector's carbon footprint.

Implications for Key Priorities

4.6 This work will contribute towards the Councils commitment to the Single Outcome Agreement, under the following objectives

- 2a "More people in work and training."
- 10a "The quality of social housing has improved."
- 12a "Our environment is protected and enhanced."
- 14b "The public sector's carbon footprint has reduced."

Community Benefit Implications

4.7 Where appropriate Community Benefit clauses have been built into building contracts. This has resulted in a number of local apprenticeships and school leaver training opportunities being created. These are reported within individual tender award reports.

5. Consultations

5.1 During the initiation, development and execution of major works programmes, consultation has taken place with all relevant stakeholders, including Tenants' Groups, Major Works Working Group, Procurement, Finance and Legal Services.

5.2 The HRA Business Plan Implementation Group will be fully briefed on the progress being made will the current investment programme. This will provide an opportunity for the group to analyse and appraise progress against the original business plan assumptions.

6. Conclusion

6.1 Work is well underway with the delivery of the HRA major works programme and this report summarises progress to date.

LAURA FRIEL
Corporate Director (Finance and Infrastructure)

Reference : AB/DT/ll
For further information please contact Angus Bodie, Head of Infrastructure and Design Services on telephone number 01294 225211

Background Papers
None.

Appendix I - HRA Major Capital And Revenue Investment Works Programme
Cabinet Meeting - 23 October 2012

PROJECT	Budget spend 2012/13	target no. of units	Contract Start	Contract Estimated Completion	Contractor	Percentage of Programme Complete	No. of units complete by 31 August	Comment
Term Contracts								
Window replacement programme 2012-2013	£4,121,000	1329	Apr-12	Mar-13	Building Services	45.82%	609	Currently ahead of programme by 30 units.
Kitchen replacement programme	£2,488,437	996	Apr-12	Mar-13	Building Services	42.47%	423	Currently ahead of programme by 48 units.
Bathroom replacement programme	£2,221,437	898	Apr-12	Mar-13	Building Services	54.79%	492	Currently ahead of programme by 96 units.
Measured term contract - 2011/2014 - roofing & rendering	£4,975,911	756	Apr-11	Mar-14	Marley Contract Services Ltd	29.50%	223	Programme behind by 28 units. Significant level of units classified as "work in progress." Corrective action in place.
Measured term contract - 2011/2014 - central heating & rewiring programme	£3,474,912	560 (heating) 900 (rewires)	Apr-11	Mar-14	CFM Building Services Ltd (combined heating/electrics) Maclin Ltd (electrics only)	41.79% (heating) 29.67% (electrics)	234 (heating) 267 (electrics)	At the end of August the heating programme is behind target by 12 units. The electric contract is behind by 32 units. Maclin Electrical now appointed to undertake "electric only" contract. Corrective action in place
Comprehensive Planned Maintenance								
External painterwork including external fabric - (Beith/Dalry) (58 properties)	£69,574	58	Dec-11	Jun-12	Seddon Property Services			Work complete. Housing Services have reported high levels of tenant satisfaction.
External painterwork including external fabric (Kilbirnie/Saltcoats) (60 properties)	£100,000	60	Sep-12	Nov-12	Mitie Property Services Ltd			Contractor now on-site.
Electrical upgrades and testing contract	£156,000	1200	Sep-12	Mar-12	Invincible Fire & Security Ltd			Contractor now appointed. 1300 addresses issued to contractor and detailed programme awaited.
Door entry systems to common closes - various	£112,094	N/A	Apr-12	Mar-13	James Anderson Ltd			Works progressing. Detailed advice taken from Legal Services in connection with recovery of costs from owners.
ARDROSSAN								
Currie Court - redevelopment LRU - independent living unit (13 units)	£1,200,000	N/A	Oct-12	Jul-13	Contractor to be appointed following completion of tender			Tender package issued 10 Sept. Tender approval to go to Cabinet on 20 November.
Currie Court - redevelopment of sheltered housing unit	£1,000,000	N/A	Oct-12	Jul-13	Contractor to be appointed following completion of tender			Tender package issued 10 Sept. Tender approval to go to Cabinet on 20 November.
Ardrossan - Montgomerie Street - Environmental Improvements	£669,687	N/A	May-12	Oct-12	Stewart Landscapes			Work on-site and progressing as per programme. Project likely to be delivered at £45k below agreed tender price.
DREGHORN								
Woodgrove- redevelopment of sheltered housing unit	£800,000	N/A	Oct-12	Jul-13	Contractor to be appointed following completion of tender			Design and tender package nearing completion and will be issued during last week in September. Tender approval to go to Cabinet on 4 December.
IRVINE								
Irvine - Seaton Terrace young persons residential unit	£129,242	N/A		Jul-12	McLaughlin Construction Ltd			Project complete. All relevant stakeholders to be involved with a project brief to establish what has worked well and areas for improvements for future similar projects.
Irvine - Pladda Avenue - conversion of nursery to flats	£60,000	N/A	TBC	Mar-13	Contractor to be appointed following completion of tender			PQQ's to be returned 21 Sept. Tender package to be issued on 15 October.
Irvine - high flats - recladding of lift/water tank rooms	£100,000	N/A	TBC	Mar-13	Contractor to be appointed following completion of tender			PQQ's returned on 31 Aug and structural engineering designing fixings. Tender package to be issued on 15 October.
KILBIRNIE								
Upgrade External Fabric etc to weir timber houses 60 No dwellings, Kilbirnie	£580,000	N/A	Nov-12	Mar-13	Contractor to be appointed following completion of tender			Tender package issued 10 Sept. Tender approval to go to Cabinet on 23 October.
KILWINNING								
Kilwinning - enhancement of the Western Gateway	£300,000	N/A	Aug-12	Mar-13	CCG (Scotland) Ltd			Work to commence on-site 4 November 2012.
Kilwinning - Pollock Cres - conversion of four bedsits	£80,000	N/A	Jan-13	Mar-13	Contractor to be appointed following completion of tender			Drawings complete and billing ongoing. PQQ's to be returned 21 Sept.
SALTCOATS								
Saltcoats - conversion of children's home into general needs housing, Harley Place (5 No new build units)	£677,176	N/A	Oct-12	Mar-13	Ashleigh Construction Ltd			Woek to commence on-site 29 October 2012.
Lambie Court & O'Connor Court - refurbishment of external fabric etc	£787,837	N/A	Jun-12	Dec-12	CCG (Scotland) Ltd			Works now on-site and progressing well. Programme to be complete by December 2012. Still awaiting two owners to complete minutes of agreement relevant to paying their due proportion of costs.

NORTH AYRSHIRE COUNCIL

Agenda Item 13

23 October 2012

Cabinet

Subject:	**Framework Agreements for the Provision of Taxi Services**
Purpose:	To advise the Cabinet of the outcome of the procurement exercise to put in place Framework Agreements for the Provision of Taxi Services.
Recommendation:	That the Cabinet agrees to award Frameworks for Taxi Services to the taxi providers identified in the Tender Outcome Report at Appendix 1.

1. Introduction

1.1 The Council currently spends in excess of £1,000,000 per annum with a large range of taxi providers. With the exception of Education Services, taxi services are procured in an inconsistent manner.

1.2 Taxi services are not within the Scotland Excel portfolio of Framework Agreements.

1.3 The introduction of Framework Agreements will enable Education Services to use mini competitions to put in place new Additional Support Needs contracts, create a more consistent approach to how taxi services are procured and provide potential savings through ensuring corporate taxi journeys are arranged on the basis of best value rather than availability.

2. Current Position

2.1 Full details of the tender process and recommendation are provided in the attached Tender Outcome Report.

2.2 In summary, a formal contract notice was advertised under the Open procedure in the Official Journal of the European Union and Public Contracts Scotland Procurement portal on 28 October 2011 with a tender return date of 27 January 2012.

2.3 Tenderers were given the option of applying for:

- Additional Support Needs (ASN)
- Corporate
- ASN & Corporate

2.4 As a result of lack of interest a further advert required to be issued on 2 May 2012. A total of 45 submissions had been received by the return deadline on 22 July 2012.

3. Proposals

3.1 The Cabinet is invited to agree to the award of Framework Agreements for the Lots and to the taxi providers noted in the attached Tender Outcome Report.

4. Implications

Financial Implications

4.1 Framework Agreements do not result in an immediate financial commitment by the Council; instead they enable taxi services to be called off at rates contained within the Framework Agreement or mini-competitions to be carried out as and when larger value planned journeys are required, at which the points the financial commitment is made.

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.

Implications for Key Priorities

4.6 The proposals will contribute towards the achievement of the following SOA objectives:

3.6 Pupil attendance rate

Community Benefit Implications

4.7 There are no community benefit clauses included in the Framework Agreement; however, the majority of taxi providers included within the Framework Agreement are based in North Ayrshire.

5. Consultations

5.1 Education & Skills, Social Services & Health and the Corporate Procurement Unit were part of the evaluation team.

6. Conclusion

6.1 A procurement exercise to put in place Framework Agreements for Taxi Services has identified the taxi providers included within the attached Tender Outcome Report and seeks agreement from Cabinet to award Framework Agreements for Taxi Services.

LAURA FRIEL
Corporate Director (Finance and Infrastructure)

Reference :
For further information please contact Alistair Munn, Category Manager/Team Leader on telephone number 01294 324592

Background Papers
Tender documentation

NORTH AYRSHIRE
COUNCIL

Tender Outcome Report

Framework Agreement

for the

Provision of Taxi Services

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Tender Outcome Report for the Procurement of Framework Agreements for Printing Services

1 PURPOSE

The purpose of this document is to summarise the invitation to tender process and present a recommendation for the award of Framework Agreements for the Provision of Taxi Services. This 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 Taxi Services.

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 North Ayrshire Council requires to establish Framework Agreements for Taxi Services.

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 framework term is four years.

3.4 The estimated total value of the overall Framework Agreements is £4million with an estimated annual budgetary spend to North Ayrshire Council of £1m.

4 TENDER NOTICE, INTEREST & RETURNS

4.1 A formal contract notice was advertised under the Open procedure in the Official Journal of the European Union and Public Contracts Scotland Procurement portal on 28th October 2011 with a tender return date of 27th January 2012.

4.2 It was noted that on the 5th December 2011 the contract notice had attracted negligible expressions of interest therefore on 14th December 2011 tender packs were issued to all taxi operators who provided service to Education & Skills and all licensed taxi operators.

4.3 By 27th January 2012 thirty (30) submissions had been received.

4.4 Tender submissions were initially evaluated by Education & Skills at which point there were concerns with regards to the quantity of applicants and the quality of submissions with regards to completion of the capability questionnaire and supporting documentation.

4.5 On the basis of the above a further tender notice was placed on Public Contracts Scotland on 2nd May 2012 with a return date of 18th May 2012. No further applications were received as a result of this advert.

4.6 Given the lack of suitable respondents and limited response from licensed taxi operators documentation was resent on to all licensed taxi operators on 15th July 2012 and capability questionnaires were returned to all initial respondents for correction on 18th July 2012 both with a return deadline of 22nd July 2012.

4.7 By the return deadline on 22nd July 2012 a total of 45 submissions had been received.

5 EVALUATION PROCESS

5.1 Tenders were given the option of applying for:

- Additional Support Needs (ASN) only
- Corporate only
- Additional Support Needs & Corporate

5.2 Additional Support Needs applicants only required to complete a Capability Questionnaire. All applicants who completed the Capability questionnaire satisfactorily will be awarded a Framework Agreement and will be given the opportunity to price ASN routes when Education & Skills require to renew existing contracts.

5.3 Submissions for Corporate services were scored on the basis of the Quality criteria contained in 5.4 below. Costs per mile were also submitted however due to the large number of variables in terms of types of vehicles, options on escorts, locations included and available times any ranking of taxi providers would be meaningless at this stage. At the point in time journeys are required any taxi providers who meet all the specific requirements shall have a score calculated on the basis of their Quality score (75%) and their relevant costs per mile (25%). The journey shall be awarded to the taxi provider who scores highest at that stage.

5.4 Quality for Corporate Services was evaluated on the basis of the following sub-criteria/sub-weightings:

Quality Criterion	**Weighting**
Service Categories	25%
Methodology for Service Delivery	25%
Resources	8.5%
PVG Checks	7.5%
Health & Safety Management	9%
Total	**75%**

5.5 The Tender Evaluation Panel consisted of Education & Skills, Social Services & Health and the Corporate Procurement Unit.

6 EVALUATION RESULTS

6.1 **Price**

Tenderers who applied for Corporate services submitted costs per mile for taxi journeys and provided details of types of vehicles, areas covered, operating hours and availability of escorts. At the point in time journeys are required any taxi providers who meet all the specific requirements shall have a score calculated on the basis of their Quality score (75%) and their relevant costs per mile (25%). The journey shall be awarded to the taxi provider who scores highest at that stage.

6.2 Tenderers who applied for Additional Support Needs (ASN) taxi services will be given the opportunity to submit costs at the point in time Education & Skills renew their ASN contracts.

7 RECOMMENDATION

7.1 The recommendation of the Tender Evaluation Panel is that Framework Agreements be awarded as follows, subject to any challenges during the Standstill Period:

Company	ASN	CORPORATE
Ayrshire Private Hire	✓	✖
B.G Taxis	✓	✖
Bond Cars	✓	✖
Concord	✓	✖
D.M Cars	✓	✖
David McLelland Jnr	✓	✖
Eddies Taxis	✓	✖
Girdle Toll	✓	✖
Harbour Taxi's	✓	✖
James Accessible	✓	✖
Livingstone Taxi's	✓	✖
Mclelland Taxi's	✓	✖
Central Taxis	✓	✖
Morley's	✓	✖
P.T Transport	✓	✖
Premier Contracts	✓	✖
Robert Frew	✓	✖
Viking Taxis	✓	✖
Abbey Taxi Services	✓	✖
Petes Taxi's	✓	✖
Robert Galloway	✓	✖
Silver Cabs	✓	✖
Irvine TOA	✖	✓
TOA Ayrshire	✖	✓
Michael's Taxi's	✓	✓
Fairley Private Hire	✓	✓
Central Contractors	✓	✓
Alex's Taxi's	✓	✓
Springside Taxis	✓	✓
B J Minibuses	✓	✓
B K Minibuses	✓	✓
Courtney Travel	✓	✓
Park Road Motors	✓	✓
Jay R Taxi's	✓	✓
Kai's Taxi's	✓	✓
K-Cabs	✓	✓
Maclaren Taxis	✓	✓
Milton Coaches	✓	✓
T.A Taxis	✓	✓
S&S Taxis	✓	✓
Thistle Taxi's	✓	✓
Whitehirst Taxis	✓	✓
WMG Minibus Hire	✓	✓
Irvine Taxi Call	✓	✓
WPH Contracts	✓	✓

7.2 Subject to approval, Mandatory Standstill Letters shall be issued to all successful and unsuccessful Tenderers acknowledging the Standstill Rules.

7.3 Upon the conclusion of the Standstill Period, where no formal Legal challenge has been raised, Letters of Acceptance shall be issued to the successful companies.

8 AUTHORITY TO APPROVE

8.1 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 the Cabinet to accept this Tender Outcome Report and award Framework Agreements to the Tenderer(s) identified in section 7.1.

Prepared by:	Alistair Munn	Category Manager /Team Leader (Construction & FM)	27th September 2012

NORTH AYRSHIRE COUNCIL

Agenda Item 14

23 October 2012

Cabinet

Subject:	**Insulated Rendering Works proposed for 60 Houses in Kilbirnie**
Purpose:	To seek approval to accept the Tender for the insulated render works being proposed.
Recommendation:	That Cabinet approves the acceptance of the Tender submitted by CCG (Scotland) Limited.

1. Introduction

1.1 The Housing Revenue Account (HRA) capital budget for the financial year 2012/13, as approved by the former Executive on 1 February 2012, makes provision for £580,000 for the above work.

1.2 The rationale and requirement for the progression of these works was detailed in the Cabinet paper presented on 4 September 2012.

2. Current Position

2.1 No contract is in place for the proposed works with either Scotland Excel or the Scottish Procurement directorate. As a consequence of this, it was appropriate to procure the works via a competitive tender exercise.

2.2 The Tender Outcome Report (Appendix 1) provides a summary of the procurement process and makes a recommendation for the appointment of the successful contractor.

2.3 The report provides the required assurance that the tender evaluation process has been undertaken in accordance with EU Procurement Directives, Public Contracts (Scotland) regulations 2012 (SSI 2012/88) (as amended) and North Ayrshire Council's Standing Orders Relating to contracts and the contract procedure rules.

3. Proposals

3.1 Active asset management of the Council's housing stock, identifies programmes of improvement works that are required to ensure our stock is maintained to an acceptable standard and achieves the Scottish Housing Quality Standard (SHQS).

3.2 External insulated render replacement works is one of the improvement programmes identified as being required over the next four-year period. Insulated render systems are recognised as being a modern, sustainable and energy efficient solution when replacing external cladding and render to "non-traditional" and "hard to heat" properties.

3.3 As the first stage of rolling out an insulated render programme, it is proposed that 60 Weir timber houses within Kilbirnie now receive external insulated render.

3.4 It is proposed that the Cabinet approves the acceptance of the Tender submitted by CCG (Scotland) Limited, for the sum of £503,701.99, all as detailed in the attached Tender Outcome Report.

4. Implications

Financial Implications

4.1 The HRA capital budget for 2012/13 makes provision for this work under "roofing and render replacement". The budget allocation for this particular project is £580,000.

Human Resource Implications

4.2 None.

Legal Implications

4.3 None.

Equality Implications

4.4 None.

Environmental Implications

4.5 These works will enhance the thermal efficiency of the properties affected and will contribute towards the reduction of the Council's carbon footprint.

Implications for Key Priorities

4.6 This agreement will contribute towards the Council's commitment to the Single Outcome Agreement, under the following objectives:-

- 10a "The quality of social housing has improved".
- 12a "Our environment is protected and enhanced"
- 14b "The public Sector's carbon footprint has reduced".

Community Benefit Implications

4.7 There are no direct community benefit requirements in the contract as the contract value is below the £1m threshold for the Targeted Recruitment and Training Scheme. The possibility to employ local labour will be discussed further with the contractor prior to site commencement.

4.8 Subject to this initial project proving successful, from 2013/14 onwards, the intention would be to establish a framework contract for work of this nature. As part of that longer-term strategy, detailed community benefit clauses would be incorporated into the tender documentation.

5. Consultations

5.1 The Corporate Procurement team has been consulted with during the tender process and are in agreement with the recommendation to appoint CCG (Scotland) Limited.

5.2 Consultation has taken place with tenants who will benefit from these works as well as the major works working group. This consultation will continue throughout the duration of the works.

5.3 The Head of Service (Community Care & Housing) has been consulted in relation to this proposal.

6. Conclusion

6.1 The Cabinet is requested to approve the acceptance of the tender submitted by CCG (Scotland) Limited, for the sum of £503,701.99.

LAURA FRIEL
Corporate Director (Finance and Infrastructure)

Reference : AB/DT/ll
For further information please contact Angus Bodie, Head of Infrastructure and Design on telephone number 01294 225211

Background Papers
Tender documentation

NORTH AYRSHIRE
COUNCIL

Tender Outcome Report
For Recommendations over £350K

Contract Number/HO/139

OVER CLADDING 60 HOUSES KILBIRNIE

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Contract Number/HO/139
For the procurement of
OVERCLADDING 60 HOUSES KILBIRNIE

1 PURPOSE

The purpose of this document is to summarise the invitation to tender process and present a recommendation for insulated over cladding of 60 Weir Timber houses Kilbirnie award. The recommendation is based on the results of the tender evaluation carried out on the responses to the *Tender for insulated over cladding of 60 Weir Timber houses Kilbirnie* 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 Councils 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 insulated over cladding of 60 Weir Timber houses Kilbirnie

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 North Ayrshire Council required to establish a Contract *for* insulated over cladding of 60 Weir Timber houses Kilbirnie

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 12 weeks

3.4 The estimated total value of the overall Contract (including any possible extensions and all collaborative partners) is £503,701.99 with an estimated annual budgetary spend to North Ayrshire Council of £580,000.00

4 TENDER NOTICE, INTEREST & RETURNS

4.1 A formal contract notice was advertised under the open process in the *Public Contracts Scotland Procurement Portal [29/3/12]* with a return date of 12 noon, [11/5/12].

4.2 The contract notice attracted *[37]* expressions of interest from a wide range of potential providers of which *[11]* submitted offers.

4.3 Following evaluation of the Expressions of Interest the following *[5]* potential providers were short-listed to receive Invitation To Tenders documents: *[A.C.Whyte, Ailsa Building Contractors,CCG,Morris and Spottiswood,Marley Contract Services]*

4.4 The return date for completed Invitation To Tenders was 12 noon, 28th September 2012.

5 EVALUATION PROCESS

5.1 The evaluation of such Tenders was in two stages. Stage one (PQQ.) 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 Pre-qualification Process

Interested organisations are required to complete and return the questionnaire including the provision of any supplementary information as identified in the questionnaire to the address given below in accordance with the instructions provided within this document.

Pre-qualification questionnaires will be evaluated on the basis of each applicants legal position, economic capacity, financial capacity, technical capacity and the ability to deliver the work to a mimimum quality standard acceptable to North Ayrshire Council. These matters will be evaluated in accordance with the criteria stated in the document. All applicants require to meet a quality standard which will be predetermined by a panel of Council Officers. Failure to meet this minimum standard will exclude the applicant from being invited to tender.

On completion of the PQQ evaluation a minimum of five applicants will progress to the next stage and be invited to tender.

5.3 Procurement

Procurement of the Works is on the basis of a competitive tender using the SBCC Standard Building Contract with Quantities.

Form of Tender, Conditions of Contract, Preliminaries, Specification and Bill of Quantities were issued for completion by tenderers as part of the tender enquiry package.

Tender submissions were evaluated on the basis of price only.

North Ayrshire Council are not bound to accept the lowest or any offer.

5.4 Declaration

The declaration section of this PQQ must be completed and signed by the appropriate person acting with corporate authority for the firm. The signatures will confirm that the contents of the PQQ are true and accurate. If inaccuracies are found within the submission this will automatically disqualify the firm from the PQQ process and exclude the company from future applications.

5.5 PQQ Documentation

North Ayrshire Council retained all submitted documentation for 30 days after the date noted on the PQQ notification letter.

5.6 Selection Process

Two types of scoring were applied to evaluate the PQQ. The first is the compliance section. All applicants must complete this section. Failure to meet any of these criteria would result in the applicant not being invited to tender.

The second is the quality assessment section. All applicants must complete this section. The comparative assessment of applicants will be weighted as indicated within the questionnaire. Each question will carry the points noted totalling 100.

A minimum of the five highest ranked applicants on the comparative quality assessment and who have gained a PASS in all criteria of the compliance section will be included in the list of potential tenderers.

The summary of the scoring system is as per the table below;

REF	COMPLIANCE	POINTS
Part A	Details Of Applicant	PASS/FAIL
Part B	Financial Information	PASS/FAIL
Part C	Business Probity	PASS/FAIL
Part D	Health & Safety	PASS/FAIL
Part E	Financial Status	PASS/FAIL
Part F	Essential Criteria	PASS/FAIL
Part I	Declaration	PASS/FAIL*

REF	QUALITY ASSESSMENT	POINTS
Part G	Relevant Experience	62
Part H	Understanding and Approach	38
	TOTAL AVAILABLE POINTS	100

*Where the declaration is not completed, this will constitute a FAIL

On completion of the PQQ evaluation Contractors shall be advised whether they have been successful or unsuccessful.

The Councils evaluation and scoring shall be final. No further discussion shall be entered into regarding evaluation or scoring matters.

6.0 EVALUATION RESULTS

6.1 Quality (PQQ)

Scoreboard

HO/139 UPGRADING EXTERNAL FABRIC TO TIMBER WEIR HOUSES

Org Name	Overall Score	Ranking	Reason For Failure
AC WHYTE	97.00	1=	
AILSA BUILDING CONTRACTORS	97.00	1=	
CCG	96.00	3	
MORRIS & SPOTTISWOOD	93.00	4	
MARLEY	91.00	5	
CLARK CONTRACTS	83.00	6	
LAWTECH	81.00	7	
McLAUGHLIN	79.00	8	
CONTRACT BUILDING SERVICES	77.40	9	
JAMES ANDERSON	76.40	10	
STEWART & SHIELDS	FAIL	N/A	INSUFFICIENT EQUIFAX RATING

7.0 TENDER ABSTRACT

7.1 Following completion of stage one (PQQ.), Tenderers meeting the minimum criteria progressed to stage two of the evaluation. Stage two (PRICE ONLY)

Price *[100]*%

Quality *[assessed at PQQ)*

7.2 Abstract of Offers

UPGRADING EXTERNAL FABRIC TO WEIR TIMBER HOUSES

Contractor	Original Offer £	Corrected Offer £	Lowest Offer £
CCG (Scotland) Ltd, Glasgow	£413,712.88	£503,701.99	£503,701.99
Ailsa Building Contractors, Coatbridge	£570,659.55	£570,659.55	
Marley Contract Services, Bishopbriggs	£592,120.86	£592,120.86	
A C Whyte & Co Ltd, Barrhead	£603,579.60	£603,579.60	
Morris & Spottiswood Ltd, Glasgow	£703,978.15	Non – Compliant Offer	

The lowest tender submitted, that of CCG (Scotland) Ltd, Glasgow is extremely competitive and acceptance is recommended.

8 RECOMMENDATION

8.1 The recommendation of the Tender Evaluation Panel is that a Contract be awarded to CCG (Scotland) Ltd, Glasgow

8.2 Subject to approval, Letters of Intent will be issued to all successful and unsuccessful Tenderers

8.3 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.

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 the 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: _____

NORTH AYRSHIRE COUNCIL

Agenda Item 15

23 October 2012

Cabinet

Subject:	**Community Empowerment Policy Board**
Purpose:	To submit the Minutes of the meeting of the Community Empowerment Policy Board held on 17 September 2012.
Recommendation:	That the Cabinet agrees to note the Minutes.

1. Introduction

1.1 The first meeting of the Community Empowerment Policy Board took place on 17 September 2012.

1.2 The Minutes of the Community Empowerment Policy Board held on 17 September 2012 are attached as Appendix 1.

2. Current Position

2.1 The key issues discussed were:

- Community engagement and participation (engagement strategy, local action plans, role of area committees, role of community councils and communities of interest, design of services);
- Community Planning Partnership;
- Locality planning;
- Community capacity building (including community empowerment and civic and cultural life);
- Role of community centres and community associations;
- Community right to buy, asset transfer and management;

- Developing the role of the Third Sector, including procurement of services; and
- Participatory budgeting.

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 implications 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 : AS
For further information please contact Audrey Sutton, Head of Service (Community & Culture) on telephone number 01294 324414.

Background Papers
None

Community Empowerment Policy Board

17 September 2012 at 2.00pm

At a meeting of the **Community Empowerment Policy Board** of North Ayrshire Council held on 17th September 2012 at 2pm in Cunninghame House, Irvine.

Members Present:
Cllr John Bruce; Cllr Ian Clarkson; Cllr Ruth Maguire; Cllr Ronnie McNicol; Cllr Jim Montgomerie; Cllr Peter McNamara

In Attendance:
Mark Armstrong, Head of Service, Education and Skills
Audrey Sutton, Head of Service, Education and Skills

Chair
Cllr Alan Hill

Apologies for Absence:
Cllr Highgate

1. Cllr Alan Hill welcomed the group and outlined the potential scope of the Board's areas of interest, as a forum for sharing of ideas and engagement before discussion at Committee.

2. Exploration of the scope of the board included discussion of current issues:

- Community engagement and participation (engagement strategy, local action plans, role of area committees, role of community councils and communities of interest, design of services);
- Community Planning Partnership;
- Locality planning;
- Community capacity building (including community empowerment and civic and cultural life);
- Role of community centres and community associations;
- Community right to buy, asset transfer and management;
- Developing the role of the Third Sector, including procurement of services
- Participatory budgeting.

Updates on current activity were provided by A. Sutton as follows:

- Community Empowerment and Renewal Bill: a report would go to Cabinet on 18 September 2012;
- Community Engagement Strategy: to go to the CPP Board and Cabinet at a date to be confirmed;
- CPP – Review with Audit Scotland: report to come to future meetings;

- Community Capacity Building (CCB): a wide ranging discussion took place around how North Ayrshire Council and its community planning partners support CCB;

- Role of Community Centres and Community Associations: a more integrated approach to how to support them was discussed. It was agreed that future requirements would include a clarification of approach and a resolution of issues/ anomalies where possible, e.g. booking of centres and the successful role of the central team in making more effective use of resources.

- Cllr McNamara welcomed the cross Council approach to CCB and asset transfer. Finance, Legal, IDS and the Third Sector Interface are providing information and support to community organisations. The issue of right to buy within community asset transfer will come to future meeting. The work done by the working group on asset transfer, including a model business plan and model lease, etc would be brought to next meeting.

- An exploration of the vision of the role of elected Community Councils took place and would be discussed at future meetings.

- The issue of how best to resource community capacity building was discussed e.g. TACT, SESNA (Social Enterprise Support Unit).

- Third Sector Interface: NAC to be 1 of 5 pilots with the Partners for Change Scottish Government Developing Markets programme.
  This will assist in developing an SLA with Third Sector in North Ayrshire and will progress procurement issues currently experienced by third sector organisations.

- Participatory budgeting: the link to Community Planning, local action plans, and the role of Area Committees was discussed.

- Broadband issues and Welfare Reform impact – work is ongoing on a strategic assessment of where to locate and how to create/ put in place the necessary support for claimants to make benefit claims online.

3. Community Asset Transfer/ Purchase Requests for Consideration

Discussion took place in relation to the need for a consistent policy/ strategy in relation to re how we deal with these requests. The toolkit will assist with this.

A Sutton provided detail on individual notes of interest currently under consideration.

It was proposed that:

- All applications would come initially to Policy Board for discussion, with proposals for transfer being decided at Cabinet;
- Initially long leases would be preferred opposed to ownership;

The importance of CCB to build sustainability was stressed.

The unintended consequences of previous decisions were discussed and the need to deal with precedent issues was considered.

The Board agreed to ongoing dialogue with those interested parties who had expressed interest in asset transfer.

4. AOCB

None

The meeting ended at 4pm.

NORTH AYRSHIRE COUNCIL

Agenda Item 16

23 October 2012

Cabinet

Subject:	**Economy and Employment Policy Board**
Purpose:	To submit the Minutes of the Meeting of the Economy and Employment Policy Board held on 3rd September 2012 and 1st October 2012.
Recommendation:	That the Cabinet agrees to note the Minutes.

1. Introduction

1.1 The Economy and Employment Policy Board met on 3rd September 2012 and again on 1 October 2012.

1.2 The Minutes of the Economy and Employment Policy Board held on 3rd September 2012 is attached at Appendix 1.

1.3 The Minutes of the Meeting of the Employment Policy Board held on 1 October 2012 is attached at Appendix 2.

2. Current Position

2.1 Key issues discussed at these meetings were:

- The Economic Development and Regeneration Strategy 2010-2020;
- The North Ayrshire Economy
- Social Enterprise Development in North Ayrshire
- Economic Development Grants Proposals
- Demographic Change in North Ayrshire
- Marketing North Ayrshire
- Homecoming 2014
- A competitive Advantage Study for Hunterston

3. Proposals

3.1 It is proposed that the Cabinet notes the Minutes of the Meeting.

4. Implications

Financial Implications

4.1 There are no financial implications arising from this report.

Human Resource Implications

4.2 There are no human resource implications arising from this report.

Legal Implications

4.3 There are no legal implications 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 environmental implications arising from this report.

Community Benefit Implications

4.7 There are no Community Benefit Implications arising from this report.

5. Consultations

5.1 None.

6. Conclusion

6.1 That the Cabinet notes the Minutes.

ELMA MURRAY
Chief Executive

Reference : EM/KY/FM
For further information please contact Karen Yeomans, Economic Development & Regeneration Project Director on telephone number (01294) 324170.

Background Papers
None

IRVINE, 3 September 2012 – At a Meeting of the Economy and Employment Policy Board at 10.00 a.m.

Present
John Bell, Marie Burns, William Gibson, Elizabeth McLardy, and Alex McLean.

In Attendance
Elma Murray, Chief Executive; Karen Yeomans, Economic Development & Regeneration Project Director; Colin Naismith, Team Leader (Economic Development); Angus O'Henley, Economic Development Officer, George Thompson, Economist/Statistician; and Fiona Millar, Administrative Assistant.

Apologies for Absence
David O'Neill

Chair
Councillor Marie Burns in the Chair.

1. Welcome & Introductions

The Chair welcomed everyone to the first meeting of the Economy and Employment Policy Board.

2. Terms of Reference

The Economic Development & Regeneration Project Director outlined the Terms of Reference for the Policy Board. This included a remit and key areas of responsibility.

Following discussion, the Policy Board agreed that point 1 of the remit should be amended to read: "*To make recommendations to Cabinet and oversee policy development in relation to the regeneration and economic development of North Ayrshire to guide future investment decisions".*

3. Presentation: Economic Development & Regeneration Strategy 2010 - 2020

The Economic Development & Regeneration Project Director outlined the aims and objectives of the Economic Development & Regeneration Strategy 2010 – 2020.

The Chief Executive highlighted that since the launch of the Strategy, the Economic Development Team had developed the YES Programme and had been working closer with Scottish Development International.

It was also noted that Life Sciences pre-dates the Economic Development & Regeneration Strategy.

The Policy Board agreed that the strategy should be a living document with regular updates being provided at future meetings.

4. Presentation: North Ayrshire Economy

The Economic Development & Regeneration Project Director provided information on the current state of the North Ayrshire economy. This included information on unemployment, business growth, etc.

Noted.

5. Social Enterprise Development in North Ayrshire

The Economic Development Officer (A O'Henley) presented a report on Social Enterprise Developments in North Ayrshire.

The Policy Board highlighted that they would like to revitalise the Social Enterprise Strategy and raise the profile of and confidence

6. Economic Development Grants Programme

The Team Leader (Economic Development) (C Naismith) presented a report on the Economic Develpoment Grants Programme and outlined the various programmes which the Economic Development Team were involved with which included Business Growth Programme, Skills for Growth Programme and Job Access Programme, etc.

Noted.

7. Any Other Business

The Chair thanked everyone for attending the first meeting of the Policy Board. She confirmed that this first meeting was to provide background context to Policy Board Members and that future meetings will have more substantial areas for discussion.

Noted.

8. Date of Next Meeting

The next meeting of the Economy and Employment Policy Board will be held on Monday 1st October 2012 at 2.00 p.m. in the Council Chambers, Cunninghame House, Irvine.

IRVINE, 1 October 2012 – At a Meeting of the Economy & Employment Policy Board at 2.00 p.m.

Present
John Bell, Marie Burns and Alex McLean.

In Attendance
Karen Yeomans, Economic Development & Regeneration Project Director; Steve Morley, Team Leader (Economic Development); Alasdair Laurenson, Team Manager (Regeneration); Pauline Palmer, Senior Communications Officer (Marketing & Events); Barry Tudhope, Business Manager (Chief Executive's); and Fiona Millar, Administrative Assistant.

Chair
Councillor Marie Burns in the Chair.

Apologies for Absence
William Gibson, Elizabeth McLardy and David O'Neill.

1. Minutes of Previous Meeting

The Minutes of the Meeting of the Economy and Employment Policy Board held on 3rd September 2012 were confirmed.

2. Responding to Demographic Change in North Ayrshire

Submitted report by the Economic Development & Regeneration Project Director on Responding to Demographic Change in North Ayrshire.

The Economic Development & Regeneration Project Director advised the Policy Board that there had been discussion at the Council's Corporate Management Team regarding demographic change in North Ayrshire. She also highlighted that population growth is explicitly recognised as a target within the Scottish Government's Economic Strategy

The population in North Ayrshire declined from 138,820 to 135,180 in the period 2001-2010. There were however some variations across the Council area with the Kilwinning, Dalry & West Kilbride, Ardrossan & Arran and North Coast and Cumbraes Wards all seeing an increase in population whilst the population in Irvine East, Irvine West, Kilbirnie and Beith and Saltcoats & Stevenston Wards declined.

2010 based population projections predict a further decline in North Ayrshire's total population of 6,419 (-4.7%) from 135,180 in 2010 to 128,761 by 2035. In contrast the Scottish population is expected to increase by +10.2% over the same period.

North Ayrshire attracts a significant number of in migrants each year (3,579) in (2011). However, it also loses a similar amount (3,577 in 2011). It is the 16-29 year olds that are the largest group of both in and out migrants.

It was noted that a declining population may have implications for service provision such as a declining tax base, declining school rolls and education estate, and a need to increase paid carers, healthcare professionals, etc.

There was discussion on the reasons why population is declining and why so many young people are migrating in and out of the area.

The Economy and Employment Policy Board agreed (a) that further research should be carried out in terms of the key drivers for population decline and migration to and from North Ayrshire and presented to a future meeting; (b) that the paper on Responding to Demographic Change should be submitted to a future meeting of the Cabinet with a recommendation that the Council should seek to increase the population of North Ayrshire.

3. Marketing North Ayrshire

Submitted report by the Corporate Communications Manager on Marketing North Ayrshire.

The North Ayrshire Economic Development & Regeneration Board at its meeting on 14 June 2012 agreed that there was merit in producing a comprehensive marketing campaign which, would "create a sense of momentum and highlight the progress" of economic development in North Ayrshire.

'The North Ayrshire –the place to be' campaign readily aligns itself to the five key descriptors contained with the Strategic Vision of the North Ayrshire Economic Development & Regeneration Strategy that by 2020 North Ayrshire will be: vibrant, diverse, connected, ambitious and visible.

The aim of the new Marketing Campaign is:

- To raise the profile of North Ayrshire.
- Ensure that when any of the partners are speaking about North Ayrshire – the same, consistent key messages are conveyed – thus presenting a united front and ensuring that key influences and opinion formers are aware of our revitalised offer.
- Change perceptions of North Ayrshire.
- Ensure that businesses and investors are not confused about what is on offer in North Ayrshire - 'hide the wiring' for our target audiences.
- Re-energise civic pride in the area through celebrating our achievements and developing the sense of community which thrives in our local areas. This will add value and strengthen our tourism offer.

The Senior Communications Officer outlined the key actions and phases in terms of Marketing North Ayrshire as detailed in the report and highlighted that all partner agencies represented on the Economic Development & Regeneration Board had been consulted on the Marketing Plan.

Members also discussed the importance of ensuring that individual towns and areas are also highlighted as part of the marketing campaign. There was also some discussion on the indicative costs for the Marketing Campaign.

It was noted that the Marketing Campaign and Action Plan would be considered by the North Ayrshire Economic Development & Regeneration Board at its meeting on 3 October 2012.

The Policy Board agreed (a) that an update on the discussions in terms of the Marketing Campaign at the Economic Development Regeneration Board should be provided at the next meeting; and (b) that information on Inward Investment work should also be presented to the next meeting on 26 November 2012.

4. Proposal for Homecoming 2014

Submitted report by the Economic Development & Regeneration Project Director on a proposal which had been submitted to EventScotland for Homecoming 2014.

The Economic Development & Regeneration Project Director highlighted that there had been a very short timescale for the completion and submission of proposal to EventScotland.

Bringing it *a' back hame* will be a celebration of North Ayrshire's identity, heritage and culture in words, pictures, music and performance. It will compromise a programme of varied events aimed at a broad cross section of markets, interests, ages and tastes including:

- an outdoor music festival
- an art exhibition
- a son et lumiere performance at historic Seagate Castle
- celebrations to mark the centenary of the award Victoria Crosses to two North Ayrshire men
- a poetry festival commemorating war and peace poetry
- The re-sitting of the town's war memorial

The programme will launch in the spring of 2014 on the 175th anniversary of the death of one of North Ayrshire's best known sons – John Galt – and will culminate in September with an outdoor son a lumiere performance of his literary masterpiece *The Provost* at Seagate Castle in Irvine.

Members of the Policy Board highlighted that the proposal focused mainly on the Irvine area.

The Economic Development & Regeneration Project Director highlighted that the proposal had been expanded and that there were other events planned across North Ayrshire in terms of Homecoming 2014.

The Policy Board agreed that a paper on all events should be prepared and submitted to a future meeting.

5. Hunterston Competitive Analysis

Submitted report by the Team Leader (Regeneration) on a Competitive Advantage Study for Hunterston.

The Economic Development and Regeneration Action Plan states that it will 'maximise the local socio economic benefits of Hunterston'.

The North Ayrshire Economic Development & Regeneration Board at its meeting on 14th June 2012 agreed that a 'Competitive Advantage Study' for the Hunterston area should be carried out to establish the potential for employment opportunities on the site, the means of raising the sites profile at a national Political Level, and an action plan for Leadership and Delivery

A draft brief for the Competitive Advantage Study has been prepared and will be considered by the Economic Development & Regeneration Board at its meeting on 3 October 2012. It is anticipated that the Competitive Advantage Study will be completed in Spring 2013.

Discussion took place on transport links and infrastructure in the Hunterston Area. Members highlighted that they would expect the Competitive Analysis to be very detailed.

The Economy & Employment Policy Board agreed the Competitive Advantage Study should be brought to a future meeting as soon as it has been produced.

6. Any Other Business

The Chair thanked everyone for attending the second meeting of the Policy Board.

7. Date of Next Meeting

The next meeting of the Economy & Employment Policy Board will be held in on Monday 26th November 2012 at 2.00 p.m. in Committee Room 1, Cunninghame House, Irvine.

The meeting ended at 3.35 p.m.