



**NORTH AYRSHIRE**  
COUNCIL

Cunninghame House,  
Irvine.

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

## **GENERAL BUSINESS FOR DECISION**

- 3. Employee Engagement Survey 2012 (Page 21)**  
Submit report by Chief Executive and receive presentation by Andrea Collins of iEmployee Experience, on the key findings from the Employee Engagement Survey which was conducted in March 2012 (copy enclosed).
- 4. Children's Hearing Scotland Act 2011: Ayrshire Area Support Team (Page 43)**  
Submit report by 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 (copy enclosed).
- 5. Benefit Payments To All 16-17 Year Olds Who Meet The Eligibility Criteria For Aftercare Support From North Ayrshire Council (Page 57)**  
Submit report by Corporate Director (Social Services & 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 of work and pensions (copy enclosed).
- 6. Scottish Futures Trust, South West Hub Territory: Appointment of a Private Sector Development Partner and Establishment of South West Hubco (Page 61)**  
Submit report by Corporate Director (Finance & Infrastructure) on the selection of a private sector partner to participate in the South West Territory Hubco (copy enclosed).
- 7. Fairer North Ayrshire Funding (Page 99)**  
Submit report by Chief Executive of proposals for future Fairer North Ayrshire Funding (copy enclosed).
- 8. Neighbourhood Planning Approach: Proposed Boundaries (Page 105)**  
Submit report by Chief Executive on proposed neighbourhood boundaries for Community Planning Partnership (copy enclosed).
- 9. Chief Social Work Officer Annual Report (Page 115)**  
Submit report by Corporate Director (Social Services & Health) on the Chief Social Work Officer Annual Report as required by the Scottish Government's Guidance (copy enclosed).

## **GENERAL BUSINESS FOR INFORMATION**

- 10 Central Scotland Green Network (CSGN): Local Authority Concordat (Page 135)**  
Submit 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) (copy enclosed).

- 11. Asset Management Plans Update on Progress (Page 145)**  
Submit report by Corporate Director (Finance & Infrastructure) of progress in the implementation of the Council's Asset Management Action Plans (copy enclosed).
- 12. A737 Trunk Road Improvements – Update On Progress (Page 177)**  
Submit report by Corporate Director (Finance & Infrastructure) on progress with proposals to improve the A737 Trunk Road (copy enclosed).
- 13. Corporate Equality Group (Page 183)**  
Submit report by the Chief Executive on the minutes of the meeting of the Corporate Equality Group held on 3 September 2012 (copy enclosed).
- 14. Environment and Infrastructure Policy Board (Page 191)**  
Submit report by Corporate Director (Finance & Infrastructure) on the Minutes of the Meeting of the Environment and Infrastructure Policy Board held on 3 September 2012 (copy enclosed).
- 15. Finance and Corporate Support Policy Board (Page 199)**  
Submit report by Corporate Director (Finance & Infrastructure) on the minutes of the meeting of the Finance & Corporate Support Policy Board held on 10 September 2012 (copy enclosed).

#### **CONTRACT APPROVAL**

- 16. Provision Of Five New Houses At The Former Children's Home Site At Harley Place, Saltcoats (Page 203)**  
Submit report by Corporate Director (Finance & Infrastructure) on tenders received for the new house building project at Harley Place, Saltcoats (copy enclosed).
- 17. Upgrading Of External Fabric At Western Gateway, Almswall Road and Main Street, Kilwinning (Page 211)**  
Submit report by Corporate Director (Finance & Infrastructure) on tenders for the upgrading works at Western Gateway, Kilwinning (copy enclosed).
- 18. Conservation Area Regeneration Scheme: Trinity Church Phase 2 Works (Page 223)**  
Submit 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 (copy enclosed).
- 19. Urgent Items**  
Any other items which the Chair considers to be urgent.



---

## Cabinet

---

Sederunt:

**Elected Members**

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

Chair:

Attending:

Apologies:

Meeting Ended:



Cabinet  
18 September 2012

**IRVINE, 18 September 2012** - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

**Present**

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

**Also Present**

John Easdale and Peter McNamara.

**In Attendance**

E. Murray, Chief Executive; I. Mackay, Solicitor to the Council; L. Friel, Corporate Director and D. Tate, Housing Assets & Investment Manager (Finance & Infrastructure); C. Kirk, Corporate Director, M. Armstrong, Head of Service (Logistics & Infrastructure), M. Docherty, Head of Service (Education 3-18) and A. Sutton, Head of Service (Community & Culture) (Education & Skills); S. Gault, Head of Service (Children, Families & Criminal Justice) and M. McManus, Housing Manager (Social Services and Health); C. O'Kane, Change Programme Manager, A G. Macgregor, Head of Human Resources & Organisational Development, G. Young; HR Manager, M. Rae, Community Planning Officer; A. Todd and S. Cloete, Policy & Performance Officers, L. McEwan, Communications Manager, D. Moroney, Communications Officer and M. McKeown, Committee Services Manager (Chief Executive's Service).

**Also In Attendance**

For Education Business: E. Higton and M. Fraser (Church Representatives); G. Smith (Teaching Representative); and N. McDonald and H. McIntosh (Pupil Representatives)

**Chair**

Councillor Gibson in the Chair.

**Apologies for Absence**

Alan Hill; Very Reverend Canon McManus

**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 4 September 2012, were signed in accordance with paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

### **3. Appointment of Third Church Representative**

Submitted report by Chief Executive on the appointment of a third church representative to join the Cabinet when it considers Education Authority business.

The Roman Catholic Church and Church of Scotland have confirmed the Very Reverend Matthew Canon McManus and Mrs Elizabeth Higton as their representatives, respectively. Mrs Higton was attending her first meeting and was welcomed by the Chair, as were the pupil representatives present.

The third church position was advertised in the local press and an expression of interest was received from The Bridge Church on behalf of Mr Mark Fraser, the church's Assistant Pastor/Youth Minister. The Chair welcomed Mr Fraser to the meeting and asked him to provide information about The Bridge Church.

The Cabinet agreed to approve the appointment of Mr Mark Fraser as a church representative.

### **4. Privilege Seats on Mainstream School Transport**

Submitted report by the Corporate Director (Education & Skills) on arrangements for the allocation of 'privilege seats' on mainstream school transport.

In terms of Section 51 of the Education (Scotland) Act 1980, where the Council makes arrangements to provide transport for entitled children, the Education Authority has a duty, where there are any vacant places (so called 'privilege seats') on any vehicle used for such transport, to allow such vacant places to be used for other pupils to be selected by the Authority.

Applications for privilege seats are made annually and parents are required to re-apply each year. The Council has established selection criteria for allocating privilege passes. Section 3 of the report set out proposals to continue the existing arrangements.

The Cabinet agreed to approve the processes and procedures followed by Education and Skills for the allocation of privilege passes in mainstream school transport, as detailed in the report.

### **5. Early Years Review**

Submitted report by the Corporate Director (Education & Skills) on progress in the Early Years Review relating to the recommendations in the Education Business Case.

The Education Business Case was approved by the former Education Executive on 25 October 2011. In respect of early years provision, the Business Case included recommendations in relation to (i) increasing independent provision; and (ii) exploring future service delivery models and alternative commissioning strategies.



An Early Years Review Group was established in September 2011 with the remit to explore these areas and to review the provision for early education and childcare within North Ayrshire. The report summarised the work of the Review Group in taking forward this remit.

The Review Group has concluded that the recommendation within the Business Case relating to increasing the interest and capacity of independent provision does not appear to be a viable option. Consequently, the Review Group has recommended that no further work should be carried out in this area.

In relation to the development of future delivery models and alternative commissioning models, the Review Group has concluded that further work is required to ensure developments are in line with best practice. Specific proposals in relation to this latter area were set out in section 3.2 of the report.

The Cabinet agreed that (a) the Early Years Review Group (i) takes no further action to increase Independent Provision; and (ii) takes forward the specific actions identified in section 3.2 of the report; and (b) the Corporate Director (Education and Skills) provide a further progress report to the Cabinet by March 2013.

## **6. Scottish Qualification Authority (SQA) Examinations of 2012 SQA Data**

Submitted report by the Corporate Director (Education & Skills) on the performance of North Ayrshire schools in the Scottish Qualification Authority (SQA) examinations of 2012.

The report provided a preliminary analysis of the performance of North Ayrshire schools in the 2012 examinations. The report looked at trends over the past 5 years and provided comparisons with other similar Authorities, with national performance, and with past performance in North Ayrshire. Individual school performance was also highlighted.

Members asked questions and received information in relation to discussions between the Education Authority and headteachers to review the performance of individual schools and identify areas for improvement.

The Cabinet agreed (a) to note the content of the report and the achievements of the pupils in this year's SQA examinations; and (b) that the Corporate Director (Education and Skills) submit a further report to the Cabinet on performance in the 2012 diet of SQA examinations.

## **7. Getting it Right for Every Child (GIRFEC): Approach and Developments**

Submitted report by the Corporate Director (Education & Skills) on progress made by the Council and its partners to develop and embed GIRFEC principles and practice in all aspects of their work with children and young people.

Noted.

## **8. Garnock Campus Project - Site Selection**

Submitted report by the Corporate Director (Education & Skills) on the terms of a report to be submitted to the Council on 19 September 2012 in respect of the Garnock Campus project.

The report to Council, a copy of which was appended, will present the findings of the Garnock Member/Officer Working Group charged with considering a range of issues around each of the potential sites for the proposed new Garnock Campus, and will make recommendations on the way forward.

Noted.

## **9. Long Term Change and Reform Programme**

Submitted report by the Chief Executive on the components of a long term change and reform programme to address current and future challenges.

The Council's Change Programme Manager made a presentation which highlighted key elements of the change and reform programme. Information was presented in relation to:-

- the main elements of the national public service reform programme;
- the scope of the Council's change programme;
- the guiding principles underpinning the programme;
- the savings mix;
- the Council's capacity for change and reform;
- plans to agree a vision for North Ayrshire; and
- an "outcomes map", showing the workstreams associated with the broad outcomes the Council is seeking to achieve.

Members asked questions, and received clarification, in respect of the information presented.

The Cabinet agreed (a) that the pace and scale of reform activity needs to be accelerated to address the Council's challenges; and (b) to approve the following actions as part of a long term programme i.e.

- (i) to adopt the reform principles, set out at Section 2.4 of the report;
- (ii) to alter the savings mix, as identified at Section 2.5 of the report;
- (iii) to extend the relationship with the strategic partner beyond October 2012, to ensure ongoing capacity for improvement, subject to regular review;
- (iv) to continue the work to agree the vision for North Ayrshire and complete the Council Plan and SOA to achieve the vision; and
- (v) to develop the outcomes map as a tool to communicate the reform programme, enable effective scrutiny and decision making and support an outcomes approach to budgeting.

## **10. Capital Monitoring to 31 July 2012**

Submitted report by the Corporate Director (Finance and Infrastructure) on the position of the Council's Capital Programme at 31 July 2012.

The report illustrated movements in the General Services Capital Programme since it was approved on 1 February 2012. Actual expenditure to 31 July 2012 amounted to £4.793m (or 12.6% of the revised annual budget for 2012/13 of £38.152m). Details of actual spend by project against the revised budget were set out in Appendix 1 to the report, alongside anticipated spend to 31 March 2013.

All project slippages from 2011/12 to 2012/13 and from 2012/13 to later years, have been examined and confirmed by the Capital Programme and Assets Group (CPAG). Since 1 April 2012, CPAG has also considered projects in respect of Ardrossan Castle, Arran Outdoor Education Centre slipway, Largs HWRC, Access Paths Network, Foulertoun Arches, and Irvine Town Centre Car Park. Details of these projects were presented at Section 2.4 of the report.

Changes in the Flexibility budget were set out in Sections 2.5 to 2.7 of the report. The report further highlighted projects with no identified funding source, namely the Townhouse, Irvine, and the Kilbirnie Conservation Area Regeneration Scheme.

The report summarised the position of the 2012/13 Housing Revenue Account Capital Budget as at 31 July 2012. Details of projected underspends were highlighted as were a number of proposed virements and proposed slippages.

The Cabinet agreed (a) in terms of the General Services Capital Budget to (i) note the actual expenditure to 31 July 2012 and projected expenditure to 31 March 2013; (ii) approve the further proposed revisions to budgets outlined at Sections 2.4 to 2.6 of the report; and (iii) meet the costs of unfunded projects set out in Section 2.8 of the report from the Flexibility budget; and (b) in terms of the Housing Revenue Account Capital Budget to (i) approve the revisions to the budget outlined at Sections 2.12, 2.16, 2.17 and Appendix 2 to the report; and (ii) note the actual expenditure to 31 July 2012.

## **11. Revenue Budget 2012/13: Budgetary Control Statement to 31 July 2012**

Submitted report by the Corporate Director (Finance and Infrastructure) on the Council's revenue budgetary control position at 31 July 2012.

The unaudited annual accounts for 2011/12 reflect a General Fund uncommitted balance of £5.442m at 31 March 2012, equivalent to 1.6% of the net revenue budget. Current financial projections indicate that a net in-year deficit of £0.172m is anticipated for the year to 31 March 2013 i.e. an overspend of £0.327m against the budgeted surplus of £0.155m.

Sections 2.4 - 2.12 summarised a number of significant over and underspends across Council Services. Further details were provided in Appendices 1 - 8 to the report. Section 2.13 referred to requests for budget transfers (virements) identified

since the start of the financial year. Appendix 10 provided a schedule of virements above the £50,000 threshold, which require Cabinet approval before they can be implemented. The table at Section 2.14 of the report summarised the General Services revenue projections based on variances at the end of July 2012.

The position on the Housing Revenue Account at the end of July 2012 was outlined in the table at Section 2.19 of the report, with further details provided at Appendix 9. A commentary of the projected underspend of £0.435m was provided.

The Cabinet agreed to (a) note the information and financial projections outlined in the report; and (b) approve the virements contained in Appendix 10 to the report.

## **12. Townhouse, Irvine**

Submitted report by the Corporate Director (Education & Skills) on progress of the project to deliver the new leisure centre.

On 13 April 2011, the Council endorsed the Magnum Steering Group's recommendation that the Townhouse site in Irvine town centre be taken forward as the preferred location for the new leisure centre and that a capital funded design, develop and build approach be taken forward as the preferred delivery model.

The report provided information on activity which has taken place in respect of the various elements of the project. Section 3 of the report presented proposals in respect of the development of the Townhouse building as a focus point for the celebration of local tourism, culture and civic history, and the relocation the town centre war memorial.

The Cabinet agreed to (a) note progress on the project to create a new leisure centre; (b) approve the incorporation of the refurbishment of the Townhouse as an integral part of the leisure centre development and the wider regeneration of Irvine Town Centre; (c) fund the £3.7m cost of the project from the Capital Programme; (d) approve the incorporation of the war memorial within the vicinity of Townhouse and fund the £75k cost of the exercise from the existing approved leisure centre project budget; and (e) note the intention to (i) submit a planning application for the development; (ii) commence the enabling works in January 2013; and (iii) start the main construction works in summer 2013; and (iv) to open the centre to the public in summer 2015.

## **13. Children and Young People Bill Consultation**

Submitted report by the Corporate Director (Education & Skills) on the Council's response to the Scottish Government consultation on the proposed Children and Young People Bill.

The Bill, to be introduced in 2013, reinforces children's rights; extends the opportunities for early intervention and early learning; improves outcomes for looked after children; and seeks to ensure joined up working across all agencies working with children and young people.

A detailed consultation response was set out in the appendix to the report. The report noted that, whilst the aims of the Bill are to be welcomed, there are a number of areas within the proposals which require greater clarification and the 'unpacking' of current legislation in order for the aims to be implemented effectively. These include the following:-

- The extended role of the Children's Commissioner;
- How increased reporting and steps towards children's rights will improve outcomes;
- The definition of early learning and childcare and what the core commitment of this is within the 600 hours entitlement;
- The legal status of a single plan when separate planning arrangements remain place under other legislation; and
- The role of the named person.

The Cabinet agreed to (a) note the key proposals for the Bill; and (b) approve the proposed response from the Council, as set out in the appendix to the report.

#### **14. Community Empowerment and Renewal Bill: Scottish Government Consultation**

Submitted report by the Corporate Director (Education & Skills) on the terms of a Council response to the Scottish Government consultation on the proposed Community Empowerment and Renewal Bill.

The proposed Community Empowerment Bill aims, *inter alia*, to enable communities to take independent action to achieve their own goals and aspirations, and to ensure that communities are able to play a greater role in determining how their local public services are delivered.

The report summarised areas where the Council currently promotes effective practice to promote the aims within the Bill and highlighted others which require further clarification and testing before the Council and other stakeholders can properly evaluate their contribution to communities.

A detailed consultation response to the 49 questions in the consultation document was set out in the appendix to the report. The proposed response broadly supports the Scottish Government's aspirations, which are designed to strengthen community participation, unlock enterprising community development, and renew communities.

The Cabinet agreed to (a) note the key proposals in the Scottish Government's consultation paper; (b) approve the terms of the Council response to the 49 questions posed in the paper as detailed in Appendix 1 to the report; and (c) note the implications for North Ayrshire Council and the Community Planning Partnership

#### **15. Public Performance Reporting 2011/12**

Submitted report by Chief Executive on public performance reporting and the draft Annual Performance Report for 2011/12.

Appendix A to the report provided details of the full set of Performance Indicators to be publicly reported, showing (where available) three years of performance trends, along with the target level of performance and a traffic light symbol to show whether the target level of performance has been achieved (green); is slightly adrift of target (amber) or is significantly adrift of target (red).

Analysis of all the indicators which have targets shows that 78% of measures met or exceeded target, 14% were slightly adrift and 8% of measures were significantly adrift of target. Data for 5 measures is currently not available. Appendix B to the report listed the 28 red/amber measures along with management commentary from the relevant Service. A draft Annual Performance Report 2011/12 was set out at Appendix C to the report. It was noted that Internal Audit's report on KPIs is awaited.

The Cabinet agreed (a) to note the status of the Council's performance indicators at Appendices A and B; (b) to approve the draft Annual Performance Report 2011/12 set out at Appendix C; (c) that the Annual Performance Report 11/12 will be published on North Ayrshire Performs by 30 September 2012 and (d) that the report be referred to Scrutiny and Petitions for further consideration.

#### **16. North Ayrshire Community Planning Partnership Single Outcome Agreement Draft Annual Report 2011/12**

Submitted report by the Chief Executive on the draft North Ayrshire Community Planning Partnership Single Outcome Agreement (SOA) Annual Report 2011/12.

The draft Annual Report, a copy of which was appended, indicates progress made against the Outcomes in the North Ayrshire SOA, and highlights areas where targets have not been met. Details were summarised in the covering report.

The Scottish Government has indicated that the Council will not be required to submit the full SOA Annual Report by the usual end of September deadline. Instead a summary of the report will be submitted.

The Cabinet agreed to (a) approve the draft Annual Report; and (b) note that a summary of the full report will be submitted to the Scottish Government.

#### **17. Largs Car Park Income: Allocation of Funding**

Submitted report by the Solicitor to the Council on a proposal to widen the scope of uses for income from Largs car park.

Income from Largs car park, once running costs are met, is used to fund environmental projects in Largs. The use of the Fund falls within the remit of the North Coast Area Committee.

The report set out proposals to extend the use of the Largs Car Park Fund to include non-Council projects. This would allow local individuals or organisations to apply for funding. Relevant criteria will be established to ensure the appropriateness of projects or activities for which funding is requested. The Scheme of Administration will require to be revised to authorise the North Coast Area Committee to make

decisions on the disbursement of funds.

The Cabinet agreed (a) to extend the allocation of funding from the Largs Car Park Fund to include local individuals and organisations; (b) that it be remitted to the Solicitor to the Council to prepare appropriate criteria for projects to be resourced from the Fund; and (c) to recommend that the Council agrees to amend the Scheme of Administration to authorise the North Coast Area Committee to make awards of grants from the net proceeds of Largs Car Park Fund to individuals and organisations in Largs.

## **18. Property Factors (Scotland) Act 2011**

Submitted report by the Corporate Director (Finance and Infrastructure) which set out the implications for the Council arising from the Property Factors (Scotland) Act 2011 and highlighted the action that is required to ensure compliance with the Act.

The Property Factors (Scotland) 2011 creates a new statutory framework to offer protection to homeowners in Scotland who receive services from a "Property Factor". Local authorities are included in the definition of Property Factors and as a consequence the Council must comply with the terms of the Act. This will include:-

- registering as a factor and appointing a "responsible person", namely the Corporate Director (Finance and Infrastructure);
- providing a list of all properties that will be affected by the new legislation;
- fully complying with the terms of the new Code of Conduct;
- identifying the blocks and open spaces to be factored; and
- establishing a project team comprising key officers from appropriate services; and
- developing a project plan, identifying key stakeholders, key tasks, project milestones and project risks.

Members asked questions and received clarification in relation to the implementation of the provisions of the Act and the arrangements for consulting with tenants and landlords.

Noted.

## **19. Council Tax and Non-Domestic Rates Write Off 2011/12**

Submitted report by Corporate Director (Finance and Infrastructure) on the write off of Non Domestic Rates and Council Tax debts during the 2011/12 financial year.

Appendix 1 to the report showed that £753,461.60 of Non-Domestic Rates debt was written off during the financial year 2011/12, covering financial years 2009/10 to 2011/12. Appendix 2 to the report indicated that £264,811.52 of Council Tax debt was written off during 2011/12, covering financial years 2006/07 to 2011/12.

The write off of debt, as part of the closure of the Council's Accounts, reflects a prudent view of the level of income due to the Council. The Council will, however, continue to maximise recovery of sums written off whenever possible. Details of sums recovered were presented in the report.

The Cabinet agreed to (a) homologate the write off Non Domestic Rates and Council Tax debt, as set out in Appendices 1 and 2 to the report; (b) note the recovery sums that have previously been written off; and (c) note the continued activity to recover sums which have been written off during 2011/12.

## **20. Revocation of Closing Order for 6 Glasgow Street (G/L), Millport**

Submitted report by Corporate Director (Finance and Infrastructure) proposing the removal of the Closing Order imposed on the property at 6 Glasgow Street (G/L), Millport.

The Cabinet, having noted that the property had been brought up to tolerable standard, agreed that the Closing Order on the property at 6 Glasgow Street (G/L), Millport, be revoked.

## **21. The Future of the Right to Buy Scheme**

Submitted report by Corporate Director (Social Services & Health) on a Scottish Government consultation on the future of the Right to Buy Scheme and on the Council's response thereon.

The Scottish Government launched a consultation paper entitled "The Future of Right to Buy in Scotland" on 7 June 2012. The document seeks views on reform of Right to Buy (RTB) laws in Scotland. Responses were required to be submitted by 30 August 2012.

A consultation response, a copy of which was appended to the report, was submitted to the Scottish Government, subject to ratification by the Cabinet. The consultation response *inter alia* supports the removal of the Right To Buy from all tenants within one year of the proposed Act being given Royal Assent being given and, if required, supports the repeal of Section 69 of the Housing (Scotland) Act 1987.

The Cabinet agreed to approve the terms of the consultation response as appended to the report.

## **22. Treasury Management Annual Report 2011/12**

Submitted report by the Corporate Director (Finance and Infrastructure) on the 2011/12 Treasury Management Annual Report.

The 2011/12 Treasury Management Annual Report, a copy of which was appended to the report, satisfies the requirements of the CIPFA Treasury Management Code of Practice. The report reviews treasury management activities and the actual prudential and treasury indicators for 2011/12



The Cabinet agreed to note the contents of the 2011/12 Treasury Management Annual Report and the prudential and treasury Indicators contained therein.

### **23. Service Plan 2011/12 Year-End Performance Reports**

Submitted report by the Chief Executive on the performance of all Council Services as at 31 March 2012.

Appendices 1 to 5 of the report, respectively, provided assessments of the overall performance of each of the Council's Services in the year to 31 March 2012 and of their capacity for improvement. Each summary also provided financial information, together with a narrative on progress made in relation to identified "Priorities".

In respect of the report for the Chief Executive's Service, Members asked questions, and received clarification, in respect of action being taken to drive forward the Economic Development and Regeneration Strategy.

The Cabinet agreed to (a) note the performance of all Services as at 31 March 2012 against the objectives, key performance indicators and actions in the 2011/12 Service Plans; and (b) refer the report to the Scrutiny and Petitions Committee for its consideration.

### **24. Maximising Attendance - Review of Performance 2011/12**

Submitted report by the Chief Executive on the Council's performance in maximising attendance for 2011/12.

Following the introduction of revised 'Maximising Attendance' procedures in April 2010, sickness absence rates amongst Council employees fell from 11.6 days per employee in 2009/10 to 7.4 days per employee in 2010/11. In 2011/12 however, the level of absence increased to 8.8 days per employee.

The report provided an analysis of sickness absences across the Council and within individual Services. Services will continue to review all absences on an ongoing basis and ensure that appropriate action is taken in accordance with the requirements of the Maximising Attendance procedure.

Noted.

### **25. Regulation Of Social Housing In Scotland Framework And Consultation On The New Scottish Social Housing Charter Indicators**

Submitted report by the Corporate Director (Social Services & Health) on the new Regulatory Framework for Social Housing Landlords, and on the Council's response to a Scottish Government consultation paper on Scottish Social Housing Charter Indicators.

A new Regulatory Framework for Social Housing was introduced in February 2012. The new Framework emphasises the importance of tenants being involved in the scrutiny of landlords' performance. The report highlighted the arrangements in place in North Ayrshire, through the Tenant and Participation Strategy and the Tenants and Residents Network, to provide mechanisms and opportunities for tenants to get involved in scrutinising and monitoring the Housing Service.

In April 2012, the Scottish Government issued the new Scottish Social Housing Charter, a copy of which was appended to the report, which aims to improve the quality and value of services which social landlords provide. The Regulator has now published a consultation paper on measures it proposes to use to assess landlords performance in achieving the outcomes and standards in the Charter. The intention is for the Regulator to set a framework of Charter Indicators and to have an annual programme of thematic inspections looking at identified aspects of the Charter. A detailed consultation response was set out at Appendix 2 to the report.

Noted.

**26. North Ayrshire Housing Partnership: Minutes of Meeting 8 August 2012**

Submitted report by the Corporate Director (Social Services & Health) on the Minutes of the North Ayrshire Housing Partnership meeting held on 8 August 2012.

Noted.

**27. Health and Social Care Policy Board: Minutes of Meeting held on 27 August 2012**

Submitted report by the Corporate Director (Social Services & Health) on the Minutes of the meeting of the Health and Social Care Policy Board held on 27 August 2012.

Noted.

**28. Framework Agreements for Printing Services**

Submitted report by the Corporate Director (Finance and Infrastructure) on the outcome of the procurement exercise to put in place Framework Agreements for Printing Services.

The introduction of Framework Agreements for Printing Services will rationalise the number of suppliers used by the Council, create a more consistent approach to how printing services are procured, provide potential savings through the use of mini competitions, and enable the Council to maximise the use of paper from sustainable sources.

The report summarised the outcome of the tendering process. Following evaluation, the successful companies in each Lot were as follows:-

- Leaflets, Posters & Flyers - Ricoh, Brown Bros, Kestrel Press, Stewarts, J.Thomson, Statex Print & Fasprint;
- Booklets & Brochures - 21 Color, Ricoh, J. Thomson, Stewarts, Kestrel Press, Brown Bros & Ink Print;
- Web Offset Printing - Ink Print, J. Thomson & Elanders;
- Corporate Stationary - Ricoh, Stewarts, Brown Bros & Kestrel Press; and
- Digital Short Run Printing - Publicity Printing, Ricoh, Kestrel Press, J. Thomson, Brown Bros, Stewarts & Ink Print.

The Cabinet agreed to award Framework Agreements for Printing Services to the suppliers identified in Section 2.6 of the report.

## **29. Irvine - Montgomerie Park: Sale of Site 2**

Submitted report by the Solicitor to the Council on the Heads of Terms which have been negotiated for the sale of Site 2, Montgomerie Park, Irvine, prior to entering missives for the sale of the site.

In January 2012, the former Executive considered a report on the outcome of the marketing of Site 2 at Montgomerie Park. The Solicitor to the Council was authorised to progress to conclusion of missives and investigate alternative arrangements to deliver Infrastructure to open up further sites at Montgomerie Park.

The report summarised the outcome of the negotiations and provided information on the proposed terms of the sale. The Council will retain security until the site is fully developed and a 'backstop' date on the sale agreement will be put in place to ensure that the developer makes meaningful progress on the site within the first 6 months of entry.

The Cabinet agreed to (a) endorse the terms of the proposed sale of Site 2 at Montgomerie Park to Developer A, as set out in the report; and (b) instruct the Solicitor to the Council to conclude missives.

The meeting ended at 4.30 p.m.



---

## NORTH AYRSHIRE COUNCIL

### Agenda Item 3

2 October 2012

#### Cabinet

---

**Subject:** Employee Engagement Survey 2012

---

**Purpose:** To provide the Cabinet with an overview of the key findings from the Employee Engagement Survey which was conducted in March 2012, and to seek approval of the Improvement Plan.

---

**Recommendation:** That the Cabinet:

- i. note the key findings from the Employee Engagement Survey 2012;
- ii. approve the Improvement Plan at Appendix 3;
- iii. receive updates on improvement plan activities on a six monthly basis;
- iv. note that a follow-up survey will be conducted in approximately three years; and
- v. note that work will continue with Service representatives in order to establish Service Improvement Plans, that will contribute to the overall Council Improvement Plan.

---

#### 1. Introduction

1.1 A Summary of key highlights are shown below:

- High Response rate, during a period of change;
- First Survey conducted Council-Wide;
- High Engagement levels achieved;
- Strong Customer focus and Teamwork have received the most positive responses;
- Consultative approach adopted involving staff at the design of the survey through to the development the Council-wide and Service specific Improvement Plans.

1.2 The Council-wide Public Service Improvement Framework (PSIF) project carried out in 2010 identified a variety of areas for improvement. These included, in the area of people management, a requirement to *'introduce a structured approach to employee surveys, giving consideration to a system of capturing / using / measuring their improvement ideas'*.

- 1.3 Audit Scotland identified the following area for improvement in the 2010 Audit of Best Value & Community Planning (BV2):  
*'The council should consult regularly with staff as this will enable it to monitor whether the change programme and associated improvement activity is having a positive impact on the culture of the organisation'.*
- 1.4 It was decided, therefore, that a council-wide survey which explored these areas would be conducted. This survey would allow the Council to:
- gather employee perceptions on a variety of topics;
  - engage and involve employees in a consistent way to inform planning and improvement; and
  - gather evidence which would allow for benchmarking on a regular basis.
- 1.5 iEmployee Experience was commissioned by North Ayrshire Council in the summer of 2011 to design, host and analyse this survey. The question set for the survey was designed in conjunction with a focus group made up of representatives from diverse areas of the Council in order to deliver comprehensive insight and optimum inclusivity.
- 1.6 Focus group participants together with members of the Council's project steering team went on to form the survey pilot team, testing the survey's design, intuitiveness, and distribution processes prior to its launch Council-wide; the survey was subsequently amended and processes fine-tuned in line with pilot feedback.

#### Launch and implementation

- 1.7 On 12 March 2012, the survey was distributed to a total of 6704 employees using three methods, paper copy, online and a hybrid method whereby remote employees without access to the internet could attend centralised locations and complete the questionnaire online. The survey was promoted and supported internally within the Council both prior to the launch and during the live period.

## **2. Current Position**

### **Response Rate**

- 2.1 The survey response rate was 41.92%; this is broken down as 53.8% online, 26% paper, and 18.4% hybrid. Given that the survey contained 106 attitudinal and engagement questions, this is considered a positive response.

- 2.2 The average response rate for employee engagement surveys in local authorities is 38% (as quoted by IPSOS MORI). A benchmarking exercise was conducted to compare the response rate received within North Ayrshire Council with other Scottish Councils, to which 16 councils responded, response rates for these ranged from 19.8% to 57%.
- 2.3 Further information gathered by iEmployee Experience showed that Moray Council attained a 36% rate for a significantly smaller question set than NAC's; East Renfrewshire attained almost 41% but for a 21-question survey; East Ayrshire achieved 44%; South Ayrshire Council 29%; and NHS Ayrshire & Arran 21%.

### **Key Findings**

- 2.4 As the Council's 2012 employee survey was focused on a combination of engagement and attitudes, a rich picture of the entire 'employee experience' has been obtained. Throughout this section, reference is made to specific questions / statements contained in the survey - a full list of these questions has been provided at Appendix 1 for reference.

### ***Positive responses***

- 2.5 The areas within the survey that received the most positive responses are in relation to Teamwork; Co-operation within the Council and Clarity of Roles.
- 2.6 Under Teamwork, 95.52% of respondents strongly agreed or agreed that *'Teamwork is important to them'*. This is further evidenced with 81.85% of respondents indicating that *'the team they work in co-operates to get the work done'*. This is a good reflection of what is already evident about the healthy state of Teams and Teamwork throughout the Council and provides a firm foundation for building upon in the future.
- 2.7 In addition to this, 79.40% of respondents have strongly agreed or agreed that *'their team strives to find ways to serve fellow colleagues and customers better'*. This further reinforces the positive responses already acknowledged in relation to Teamwork and Co-operation within the Council and reflects the level of importance our teams place on providing an exceptional service to colleagues and the communities of North Ayrshire.

- 2.8 Within Clarity of Roles, 85.41% of respondents have strongly agreed or agreed that *'they fully understand what is expected in their job'* indicating that they are comfortable in their role and understand what they need to achieve. This is further evidenced with 83.02% of respondents indicating that they *'find their work interesting'* and is an excellent representation - both of the variety of work that is carried out through the Council and the high percentage of respondents who are engaged and interested in the work that they are delivering.

### ***Negative responses***

- 2.9 The area within the survey that received the most negative responses was in relation to visibility and clarity around the Council's leadership Team and management of change. For example, on the question *'We often see members of the Extended Corporate Management Team'*: 53.35% of respondents disagreed, or strongly disagreed. In addition, 43.35% of respondents disagreed or strongly disagreed that *'they have the opportunity to contribute views before changes are made which affect my job'*.
- 2.10 Communication within the Council was another area where negative responses were received. For example, on the question *'I feel able to speak up and challenge the way things are done in the Council'*: 43.24% of respondents disagreed or strongly disagreed.
- 2.11 These areas have been recognised and actions are included in the improvement plan to address each of these.

### ***Non-commit responses***

- 2.12 Some questions received a high number of 'non-commit' responses, where employees were least inclined to provide feedback, either positive or negative. Examples are *'I believe the decisions and behaviours of the Council are consistent with the Council's values'* and *'I believe the ECMT has a clear vision for the future of the Council'* for which the respondents who selected either 'Neutral' or 'Don't know' was 67.72% and 66.33% respectively.

### ***Highest importance responses***

- 2.13 A series of statements within the survey asked employees how important various areas were to them. The statement which received the highest responses, showing that they felt these were the most important areas, was in relation to the employee's workplace being safe and physically comfortable, where 96.87% of respondents stated this was important or very important. This was followed closely by the statement regarding the importance of salary, in which 96.87% of employees responded to say this was important or very important.



## Employee Engagement Profile

- 2.14 Employee Engagement is described as the convergence of four factors: Identification with the Council (relate), Advocacy for the Council (say), Retention with the Council (stay) and Commitment to the Council (strive).
- 2.15 The diagram below demonstrates, how each of these four areas overlap, if a person or organisation lacks in one of these four areas, employee engagement suffers.



- 2.16 The Council's employee engagement level is **54.99%**, based on the summary provided below. iEmployee Experience highlighted that the European average employee engagement level is **50%** (Source: AON Hewitt). In addition, engagement levels in a variety of public and private sector organisations are provided at Appendix 2 for information.
- Relate: 51.05% of employees identify themselves with the Council;
  - Say: 46.99% of employees speak positively about the Council;
  - Stay: 73.52% of employees intend to stay working for the Council;
  - Strive: 48.38% of employees are prepared to go beyond the call of duty for the greater good of the Council.
- 2.17 These figures were identified from the eight questions within the survey specifically used to measure employee engagement. The percentage figure relates to the number of employees who selected a positive response to that particular statement (i.e. either 'Strongly Agree' or 'Agree').

**Relate:**

- I believe strongly in the purpose and objectives of the Council - 58.75%.
- I find that my values and those of the Council are very similar - 43.35%

**Say:**

- I am proud to tell people that I work for the Council - 49.22%
- I actively speak highly of the Council to people I know - 44.77%

**Stay:**

- I would like to be working for the Council in 12 months time - 83.42%
- It would take a lot to get me to leave the Council - 63.63%

**Strive:**

- I volunteer to do things outside of my job that contribute to the Council's objectives and success - 31.57%
- I frequently make suggestions to improve the work of my team - 65.20%

**Key Driver Analysis**

- 2.18 From the information obtained from the survey, iEmployee Experience conducted key driver analysis - a statistical technique used for measuring the impact that certain employee experience factors (involvement, job workplace, communication, etc.) can exert on employee engagement. The factors with the greatest impact are called 'Key Drivers' of engagement.
- 2.19 Listed below, in order of importance, are the top eight employee experience factors with the greatest potential to positively impact engagement within the Council. As such, these should be the focus of the Council-wide Improvement Plan.
1. Your involvement and value to the Council
  2. The Council's quality principles and practices
  3. Communication within the Council
  4. The Council's mission and purpose
  5. Teamwork and cooperation within the Council
  6. Your Learning and Development
  7. Your role and its clarity
  8. Leadership and management of change.

## **Improvement Plan**

- 2.20 To identify actions that could be taken to improve the areas identified and improve engagement levels within the Council, a Cross-Service Working Group was established, with all Services being represented.
- 2.21 The group were provided with confidential high-level information on the findings from the survey at a Council-wide level, and were asked to focus on the top eight key drivers of engagement, as highlighted in paragraph 2.15. For these key drivers, they were asked to identify areas of good practice within their own Service that would contribute to these, and also areas where improvements could be made.
- 2.22 The Cross-Service Working Group have played a key role in determining the Council-Wide Improvement Plan which is provided in Appendix 3. The Improvement Plan aims to consolidate on existing best practice throughout the Council; and establish consistency across all areas of the Council.
- 2.23 From October 2012, work will continue with all Services in order to review the findings from the survey in relation to their specific Service area. Service Working Groups will be established to conduct this review and determine actions that can be progressed within Services to improve engagement and attitudes. Service Improvement Plans will be created for each service area which will in turn contribute to the Council-wide improvement plan. Progress towards these actions will be monitored via regular updates with the Service Working Groups.
- 2.24 The Council-wide improvement plan will be monitored by regular meetings with Cross-Service Working Group representatives and through liaison with lead services. Updates on progress towards the actions required will be provided to the Cabinet on a six-monthly basis.

## **3. Proposals**

- 3.1 The Cabinet is asked to i) note the key findings from the Employee Engagement Survey 2012; ii) approve the Improvement Plan at Appendix 3; iii) note that they will receive updates on improvement plan activities on a six monthly basis; iv) note that a follow-up survey will be conducted in approximately three years; and v) note that work will continue with Service representatives in order to establish Service Improvement Plans, that will contribute to the overall Council-wide Improvement Plan.

#### **4. Implications**

##### Financial Implications

- 4.1 The cost for the survey to be designed, launched, conducted and analysed was £11,000.

##### Human Resource Implications

- 4.2 There are no Human Resource Implications arising from the report.

##### Legal Implications

- 4.3 There are no Legal Implications arising from the report.

##### Equality Implications

- 4.4 There are no Equality Implications arising from the report.

##### Environmental Implications

- 4.5 There are no Environmental Implications arising from the report.

##### Implications for Key Priorities

- 4.6 There are no implications for Key Priorities arising from the report.

##### Community Benefit Implications

- 4.7 There are no Community Benefit Implications arising from the report.

#### **5. Consultations**

- 5.1 As mentioned in 1.5 above, focus groups with representatives from all Services were consulted on the proposed questions to be included in the Employee Engagement Survey. Focus Group representatives were also consulted on the draft survey and the mechanisms to be used to issue and return the surveys.

- 5.2 In addition, as mentioned in 2.18, a Cross-Service Working Group was consulted and involved in the creation of the Improvement Plan, by sharing areas of good practice that could be replicated Council-wide.

## **6. Conclusion**

- 6.1 The 2012 Employee Engagement survey established an engagement level of 54.99% across a fairly representative sample of the Council's workforce and is a good result.
- 6.2 The survey also identified a number of themes which are the key drivers of engagement within the Council. These themes have been used to identify the actions that could be taken to further improve employee engagement within the Council.
- 6.3 An Improvement Plan in relation to these areas is provided to the Cabinet for approval.



ELMA MURRAY  
Chief Executive

### **Reference :**

For further information please contact Gavin Macgregor, Head of HR & OD or Fiona Walker, HR Manager - Learning & Organisational Development on Tel: 01294 324053

### **Background Papers**

None



**Employee Engagement Survey 2012 - Question Set**

- 1 Which Service do you work in?
- 2 What is your Job Level?
- 3 How long have you worked for the Council?
- 4 What is your employment status?
- 5 What hours do you work?
- 6 Are you?
- 7 What age are you?
- 8 Do you have a disability?
- 9 What is your ethnic group?
- 10 How would you describe your sexuality?
- 11 What is your religion?
- 12 I find my work interesting.
- 13 I feel challenged and motivated by my work.
- 14 I feel that I am involved in decisions that affect my work.
- 15 I have the freedom to work in a way that suits me so long as the work gets completed.
- 16 I believe that routine decisions are made quickly and efficiently.
- 17 I fully understand what is expected of me in my job.
- 18 I get the information I need to do my job well.
- 19 I have clear and measurable work objectives.
- 20 How important to you is the job that you do?
- 21 I have a clear understanding of the purpose and objectives of my Service and Directorate.
- 22 I have a clear understanding of the purpose and objectives of the Council.
- 23 I understand how my work contributes to the objectives of the Council.
- 24 According to you, how important to the Council is the work you do? ☐
- 25 How important is it to you to understand how your work and effort contributes to the Council's objectives?
- 26 My line manager motivates and inspires me to be more effective in my job.
- 27 My line manager is considerate of my life outside work.
- 28 My line manager is open to my ideas and suggestions for change.
- 29 My line manager helps me to understand how I contribute to the vision for the Council.
- 30 I have confidence in the decisions my line manager makes.
- 31 My line manager communicates effectively.
- 32 My line manager manages people well.
- 33 How important to you is the type of supervision you receive from your line manager?
- 34 My work is acknowledged and I am recognised for doing something well.
- 35 My line manager encourages two-way feedback.
- 36 I receive regular and constructive feedback on my performance.
- 37 I think that my performance is evaluated fairly.
- 38 I think Performance & Personal Development (PPD) is effective in appraising my performance and highlighting opportunities for further personal and career development.

- 39 How important to you is the recognition you receive from the Council?
- 40 I believe there are opportunities for me to develop my career at the Council.
- 41 The learning and development I have received is helping me to develop my career.
- 42 My performance has improved as a result of the skills I have developed over the past year.
- 43 When a development need has been identified, I am confident that I will receive the appropriate training in good time.
- 44 Knowledge Sharing is encouraged within the Council and I have opportunities to learn from my colleagues and peers.
- 45 The Council provides the relevant safety training required for me to do my job effectively and safely.
- 46 How important to you is the learning and development provided by the Council?
- 47 I feel that my pay and benefits adequately reflect my duties and responsibilities.
- 48 I feel my pay is reasonable in comparison to other people working in the Council.
- 49 I feel my pay is reasonable in comparison to people in similar jobs in other organisations.
- 50 How important to you are the benefits provided by the Council?
- 51 How important to you is the salary you receive?
- 52 I have an acceptable workload.
- 53 There are usually sufficient people in my team to handle the normal workload.
- 54 Workload is balanced effectively in order to accommodate employees' flexible work patterns.
- 55 I can meet the requirements of my job without regularly working excessive hours
- 56 I am able to strike the right balance between my work and home life.
- 57 How important is it to you that you have a good work life balance?
- 58 I have the equipment and tools I need to do my job effectively.
- 59 I am satisfied with my immediate working environment.
- 60 The Council provides adequate and well maintained facilities.
- 61 I am familiar with the procedure for reporting Health & Safety problems within the Council.
- 62 The Council's "Maximising Attendance" policy helps me to manage my attendance.
- 63 I have access to the following occupational health services:
- 64 How important is it to you that your workplace is safe and physically comfortable?
- 65 Teamwork is important to me.
- 66 The team I work in co-operates to get the work done.
- 67 My team strives to find ways to serve our fellow colleagues and customers better.
- 68 People in my team are encouraged to come up with innovative solutions to work related problems.
- 69 Teamwork exists within the wider Council; directorates and departments work well together.
- 70 How important is it to you that teamwork is encouraged and practiced in the Council?
- 71 In my opinion the Council is committed to delivering a positive customer experience.



- 72 All of our customers are treated fairly regardless of their background.
- 73 Where I work we get feedback on how satisfied customers are with the service they receive.
- 74 Where I work we act on the feedback we receive from customers.
- 75 How important to you is it that the Council provides a good quality of customer service?
- 76 We often see members of the Extended Corporate Management Team (ECMT).
- 77 I believe that the decisions and behaviours of the ECMT are consistent with the Council's values.
- 78 I believe the ECMT has a clear vision for the future of the Council.
- 79 I believe that communication is consistent throughout all levels of management within the Council.
- 80 I feel that change is well managed in the Council.
- 81 When changes are made they are usually for the better .
- 82 The Council is effective at keeping me informed about matters affecting me.
- 83 I have confidence in the ECMT's ability to properly manage the Council.
- 84 I have confidence in the ECMT's ability to effectively manage the Council's budgets and spending.
- 85 I am satisfied with the information I receive from management on developments within the Council.
- 86 I have the opportunity to contribute views before changes are made which affect my job.
- 87 I feel able to speak up and challenge the way things are done in the Council.
- 88 I get adequate feedback from my line manager in response to issues I raise.
- 89 If I am lacking information I am confident that I know where to go in order to find it.
- 90 My primary source of information on developments within my workplace is:
- 91 I am familiar with the following Council policies:
- 92 How important is it to you that the Council communicates effectively with you?
- 93 Within the Council I am treated with fairness and respect
- 94 I feel valued and recognised for the work I do for the Council.
- 95 The Council has an inclusive culture where everyone's talents can flourish.
- 96 How important to you is the fairness and respect the Council shows to its employees?
- 97 I believe strongly in the purpose and objectives of the Council.
- 98 I find that my values and those of the Council are very similar.
- 99 I am proud to tell people that I work for the Council.
- 100 I actively speak highly of the Council to people I know.
- 101 I would like to be working for the Council in 12 months time.
- 102 It would take a lot to get me to leave the Council.
- 103 I volunteer to do things outside of my job that contribute to the Council's objectives and success.
- 104 I frequently make suggestions to improve the work of my team.
- 105 How important is it to you that you can be proud of and speak positively about the Council?
- 106 Please use this section to provide any additional feedback you think may be relevant.



## Employee Engagement Survey 2012

## Engagement Level Benchmarking Information

European average employee engagement level = 50% (Source: AON Hewitt)

<b>Public sector:</b>	
<b>Organisation</b>	<b>Engagement Level</b>
General Register Office for Scotland	62%
Scottish Prison Service	58%
Department for Business Innovation and Skills	49%
Department for Communities and Local Government	40%
Department for Culture Media and Sport =	54%
Department of Energy and Climate Change	60%
Department for Environment, Food, and Rural Affairs	52%
Department for Education	59%
Department for International Development	70%
Department for Transport	52%
Department of Health	53%
Department for Work and Pensions =	44%
British Foreign and Commonwealth Office	66%
HM Revenues and Customs	40%
HM Treasury	65%
Home Office	58%
Ministry of Defence	53%
Ministry of Justice	55%
<b>Private sector:</b>	
<b>Organisation</b>	<b>Engagement Level</b>
Royal Mail	56%
Co-operative Group (2009)	64%
Phillips	64%
National Grid	66%
Lloyds TSB	75%
Vodafone	73%
QubicaAM	55%



## Employee Engagement Survey – Council Improvement Plan (Oct 2012 – Dec 2013)

### 1. IMPROVEMENT PLAN OBJECTIVE

The purpose of this improvement plan is to increase Council-wide employee engagement levels as per metrics 'Relate, Say, Stay, and Strive' and by leveraging the 8 key drivers of engagement identified by the recent Employee Engagement Survey. Improvement plan activity focuses on the following 8 key drivers:

<b>Key Driver 1:</b>	<b>Your involvement and value to the Council</b> <i>Implement initiatives that will result in:</i> <ul style="list-style-type: none"> <li>• <i>Employees feeling valued for the work they do;</i></li> <li>• <i>Increased employee involvement and participation in certain tasks and projects so as to challenge them and uncover hidden knowledge and talents;</i></li> <li>• <i>Employees believing that they will be recognised for their contribution.</i></li> </ul>
<b>Key Driver 2:</b>	<b>The Council's quality principles and practices</b> <i>Implement initiatives that will result in:</i> <ul style="list-style-type: none"> <li>• <i>An improvement in the consistency of customer feedback provision (Council-wide);</i></li> <li>• <i>Development of a consistent Council-wide approach to acting on customer feedback;</i></li> <li>• <i>Development of opportunities for employee empowerment i.e. establishing guidelines and parameters whereby employees can go that extra mile for the customer and delight him/her.</i></li> </ul>
<b>Key Driver 3:</b>	<b>Communication within the Council</b> <i>Implement initiatives that will result in:</i> <ul style="list-style-type: none"> <li>• <i>Improved communication to the workforce regarding developments within the Council;</i></li> <li>• <i>The creation of more employee consultation opportunities whereby employees can contribute their views on proposed change that affects them;</i></li> <li>• <i>Increased two-way feedback and creation of opportunities for employees to question decisions that are made within the wider Council.</i></li> </ul>
<b>Key Driver 4:</b>	<b>The Council's mission and purpose</b> <i>Implement initiatives that will result in:</i> <ul style="list-style-type: none"> <li>• <i>Clear, consistent, and regular employee communication on Council objectives and how employees feed into these.</i></li> </ul>

## Employee Engagement Survey – Council Improvement Plan (Oct 2012 – Dec 2013)

<b>Key Driver 5:</b>	<b>Teamwork and co-operation within the Council</b> <i>Implement initiatives that will result in:</i> <ul style="list-style-type: none"> <li>• <i>Improved inter-departmental teamwork and collaboration;</i></li> <li>• <i>Encouragement for employees to proactively voice new ideas and solutions even if they are not ultimately implemented – a move towards innovative thinking.</i></li> </ul>
<b>Key Driver 6:</b>	<b>Your learning and development</b> <i>Implement initiatives that will result in:</i> <ul style="list-style-type: none"> <li>• <i>The adoption of a more consistent approach to the provision of learning and development opportunities i.e. consistency across all departments;</i></li> <li>• <i>Learning and development being aligned to individuals' roles and career aspirations so they can see how it will benefit them as individuals as well as the Council;</i></li> <li>• <i>All endeavours being deployed to ensure that employees are enrolled in relevant training within a reasonable timeframe.</i></li> </ul>
<b>Key Driver 7:</b>	<b>Your role and its clarity</b> <i>Implement initiatives that will result in:</i> <ul style="list-style-type: none"> <li>• <i>More employee involvement and consultation when there are decisions being made that may affect their work;</i></li> <li>• <i>Opportunities for increased employee empowerment (i.e. working in a way that suits them so long as the work gets done);</i></li> <li>• <i>Improved efficiency through effective and timely routine decision making;</i></li> <li>• <i>Employees across the Council having access to the information they need to do their job well.</i></li> </ul>
<b>Key Driver 8:</b>	<b>Leadership and management of change</b> <i>Implement initiatives that will result in:</i> <ul style="list-style-type: none"> <li>• <i>Increased visibility of the ECMT;</i></li> <li>• <i>Improved consistency of communication throughout all levels of management within the Council;</i></li> <li>• <i>Improved management of change within the Council;</i></li> <li>• <i>More effective ways of keeping employees better informed of changes affecting them.</i></li> </ul>

# Employee Engagement Survey – Council Improvement Plan (Oct 2012 – Dec 2013)

Action No	Actions required	Lead Services	Relates to Key Driver
<b>1</b>	<b>Communications</b>		
1.1	<b>Managers' Conferences:</b> <ul style="list-style-type: none"> <li>Hold three Managers' Conferences per calendar year</li> <li>Increase ECMT involvement in the Managers' Conference to raise visibility.</li> </ul>	Chief Executive's Service (CES) ECMT	1, 4, 5, 8
1.2	<b>Collaborative Working:</b> <ul style="list-style-type: none"> <li>Regularly encourage individuals at all levels, and teams within services to work collaboratively on service specific projects and cross service initiatives.</li> </ul>	All Services	3, 5, 1
1.3	<b>Sharing information:</b> <ul style="list-style-type: none"> <li>Increase the use of Navigate as a means of promoting the Council's mission and objectives and disseminating information.</li> <li>Explore other media options to ensure information is disseminated to hard to reach areas.</li> </ul>	All Services	3, 4
1.4	<b>Change Programme:</b> <ul style="list-style-type: none"> <li>Establish formal briefing sessions (e.g. Straight Talking Sessions) within each service to advise employees on what activities are being undertaken as part of the change programme.</li> </ul>	Policy & Service Reform / All Services	1, 8
1.5	<b>Equality and Fairness</b> <ul style="list-style-type: none"> <li>Raise the Equalities Awareness agenda, to ensure all employees are treated fairly and respectfully in the workplace.</li> </ul>	Policy & Service Reform /All Services	1
1.6	<b>Improve internal communications:</b> <ul style="list-style-type: none"> <li>Launch and implement the 'Team Talk' initiative i.e. an approach for face to face communications in order to emphasise a focus on discussion and feedback, and three way communications.</li> <li>Ensure consistency of Team Meetings across the Council.</li> <li>Establish a consistent Council-wide approach to employee suggestions, ensuring all feedback and suggestions are reviewed.</li> <li>Ensure Workforce Communications more structured, regular, and consistent.</li> <li>Increase the frequency of Chief Executive's Blog and continue 'Tea with' the Chief Executive, ensuring two way continued dialogue with employees.</li> <li>Reinstate 'Back to the floor' sessions which successfully served to raise the visibility of the ECMT.</li> <li>Reinstate Council Staff newsletter as a means of sharing information council-wide.</li> </ul>	Communications, CES & All Services	1, 3, 5, 7, 8

## Employee Engagement Survey – Council Improvement Plan (Oct 2012 – Dec 2013)

Action No	Actions required	Lead Services	Relates to Key Driver
<b>2 Development</b>			
2.1	<b>Performance &amp; Personal Development (PPD):</b> <ul style="list-style-type: none"> <li>Ensure a consistent approach to annual PPD discussions is adopted, ensuring individual understand what is required of them in their role, work objectives and individual goals are aligned with team objective and to ensure that learning needs are identified and prioritised.</li> <li>Reinforce the Behavioural Competency Framework, during annual PPD discussions, to ensure employees fully understand the behaviours required to be demonstrated.</li> <li>Conduct regular 1-2-1s with employees, to provide the opportunity for regular two way discussion, feedback and recognition.</li> </ul>	All Services	1, 2, 3, 4, 5, 6, 7, 8
2.2	<b>Leadership &amp; Management Development:</b> <ul style="list-style-type: none"> <li>Reinforce leadership &amp; management development programmes to ensure that the focus on collaborative working, team working, communication continues.</li> <li>Develop and deliver regular learning events aimed at Managers to extend learning, provide further development opportunities, and encourage networking / sharing of good practice.</li> <li>Extend the Shadowing programme currently in place for employees to shadow the Chief Executive, to the CMT.</li> </ul>	Human Resources	1, 5, 6, 8
2.3	<b>Development solutions:</b> <ul style="list-style-type: none"> <li>Review, develop, and promote a Corporate Calendar of learning &amp; development events.</li> <li>Extend the practice of more cost effective development methods and knowledge transfer solutions such as job shadow, e-learning, webinars etc.</li> </ul>	Human Resources & All Services	5, 6
2.4	<b>Recording of development needs:</b> <ul style="list-style-type: none"> <li>Expand utilisation of the development module on CHRIS to ensure the corporate system is being used to its full potential and that all development needs are recorded.</li> </ul>	All Services	6



# Employee Engagement Survey – Council Improvement Plan (Oct 2012 – Dec 2013)

Action No	Actions required	Lead Services	Relates to Key Driver
<b>3</b>	<b>Planning &amp; Performance</b>		
3.1	<b>Planning Performance:</b> <ul style="list-style-type: none"> <li>Anticipate future strategic developmental needs linked to changing legislation and policy drivers.</li> <li>Ensure that all objectives are connected i.e. Single Outcome Agreement, Council Plan, and Service Plans all explain the requirements of the council and its purpose - the 'bigger picture'</li> <li>Actively promote the involvement of employees in the creation of service and team plans, including the creation of plans or initiatives aimed at customers, as a means of harnessing employee knowledge and creating a sense of involvement and ownership.</li> <li>Develop Performance Management Frameworks within all services across the Council as a means of involving managers and staff in target setting, actively encouraging staff to make decisions in line with policies and procedures; giving accountability to all staff at various levels; and assigned areas/teams/responsibilities to staff that are then accountable for the performance within them.</li> </ul>	Policy & Service Reform & All Services	1, 2, 4, 6, 7
3.2	<b>Service Briefings:</b> <ul style="list-style-type: none"> <li>Introduce Service Development Days / Annual Briefings / Update Sessions across the Council as a means of sharing information with all employees.</li> </ul>	All Services	1, 4, 3
3.3	<b>Recognising Achievement:</b> <ul style="list-style-type: none"> <li>Reinforce and promote 'North Ayrshire Achieves' as a means of celebrating and rewarding individual or team contributions, good practice, etc.</li> </ul>	All Services	1
3.4	<b>Benchmarking:</b> <ul style="list-style-type: none"> <li>Increase the use of benchmarking as a way of raising quality standards and performance cross the Council.</li> </ul>	All Services	2
3.5	<b>Standardisation of procedures:</b> <ul style="list-style-type: none"> <li>Investigate ways of standardising, controlling, measuring, and auditing procedures and documentation across the Council</li> </ul>	IT Services (Information Management)	2

## Employee Engagement Survey – Council Improvement Plan (Oct 2012 – Dec 2013)

Action No	Actions required	Lead Services	Relates to Key Driver
<b>4</b>	<b>Customer Service Strategy</b>		
4.1	<b>Customer Service Strategy:</b> <ul style="list-style-type: none"> <li>Develop and deliver the new Customer Service strategy by continuously looking to operate more efficiently and effectively responding to customer needs.</li> </ul>	Customer Services & All Services	2
4.2	<b>Obtaining customer feedback:</b> <ul style="list-style-type: none"> <li>Develop Council-wide approach to obtaining customer feedback and establish across the board standards for acting upon this insight, including creating a 360 degree view of customer: Consolidate Council-wide customer feedback (surveys, focus groups etc.) and findings and make this insight available to all employees together with information on action taken (via Navigate etc.)</li> </ul>	Customer Services	2
4.3	<b>Customer Service training</b> <ul style="list-style-type: none"> <li>Establish a level of consistency across the Council in terms of customer service training provision.</li> </ul>	Human Resources	2
4.4	<b>External accreditation</b> <ul style="list-style-type: none"> <li>Look to expand Council competencies linked to attaining external accreditation in the domain of customer service i.e. Customer Service Excellence award.</li> </ul>	Customer Services	2

---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 4**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **Children's Hearing Scotland Act 2011: Ayrshire Area Support Team**

---

**Purpose:** To seek agreement to the Council's involvement in supporting the Ayrshire Area Support Team (AST) to be established under the Children's Hearings (Scotland) Act 2011.

---

**Recommendation:** That the Cabinet agrees (a) that North Ayrshire take the lead Authority role in 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.

---

### **1. Introduction**

- 1.1 The Children's Hearings (Scotland) Act 2011 (the "2011 Act") makes major changes to the Children's Hearings System in Scotland. The Act establishes a National Children's Panel which will replace the existing 32 Scottish Local Authority Children's Panels. The 2011 Act transfers many of the duties and powers currently held by local authorities and centrally by Scottish Government, to a National Convener who will provide leadership and act as a figurehead for Panel members. The National Children's Panel will be supported by Children's Hearings Scotland (CHS), a new body established by the 2011 Act.
- 1.2 In October 2011, the former Executive considered a report on a consultation paper by the National Convener on proposals to establish Area Support Teams (ASTs), as provided for in the Act. ASTs will replace the Children's Panel Advisory Committees (CPACs) structure and will play a critical role in managing and supporting the Children's Panel at local level. ASTs will:
- Uphold the CHS vision, mission and values;
  - Work within the CHS National Standards at local level;

- Carry out functions on behalf of the National Convener to support members of the Children's Panel who sit on hearings in their local area; and
  - Work with local authorities, the Scottish Children's Reporter Administration (SCRA) and all relevant partners towards continual improvement across the Children's Hearings System.
- 1.3 ASTs will have responsibility for Panel member recruitment, selection, induction and monitoring and for rota management. They will report regularly to the National Convener to share information about trends, issues, problems and best practice, so that the quality of Panel member practice across Scotland improves. AST members will act as ambassadors for the Children's Panel and represent it to other organisations and employers locally.
- 1.4 Under the National Convener's proposals for ASTs, the existing three Ayrshire CPACs will merge to become a single AST. At its meeting in October 2011, the Executive agreed to indicate the Council's support in principle for the establishment of an Ayrshire AST, and authorised Officers to hold discussions on the terms of a Service Level Agreement between the Ayrshire authorities and CHS, and on future arrangements for providing administrative support to the Ayrshire AST.
- 1.5 Following the meeting, North Ayrshire Council's response was submitted to the National Convener. East and South Ayrshire Council's also submitted their own responses to the consultation document, which indicated their support in principle for the formation of an Ayrshire Area Support Team.
- 1.6 In April 2012, the Executive received a further report which highlighted progress made, both nationally and locally, to prepare for the implementation of the 2011 Act. The report noted that Scottish Government/CHS were at that time aiming to conclude agreements with local authorities on the formation of ASTs with a view to them becoming operational in September 2012 - the intended implementation of the reforms. The report did however note that there were still a number of factors that could impact on this timescale.
- 1.7 The Executive agreed (a) to note the position to date; and (b) that Officers continue to work to (i) finalise the structure of the Ayrshire AST and begin to identify its membership; (ii) put in place a Partnership Agreement (or Agreements) between the Ayrshire authorities and CHS; (iii) identify the Lead Authority (if any) to assume the role of supporting the AST and finalise an Agreement/SLA between the three Authorities thereon; and (iv) identify and put in place the administrative support required to underpin the operation of the AST.

## **2. Current Position**

### National Developments

- 2.1 On 27 April 2012, the Scottish Government announced an extension to the timetable for full implementation of the reforms to the Children's Hearings System until the second quarter of 2013. The Scottish Government/CHS are nevertheless keen to conclude Partnership Agreements with local authorities on support for ASTs by September 2012.
- 2.2 On 16 July, CHS announced that the National Convener is seeking to recruit and appoint Area Conveners and Depute Area Conveners who will lead their ASTs, oversee their day-to-day operations, and ensure that their AST fulfils its responsibilities. The roles of Area Convener and Depute Area Convener are voluntary. Individuals carrying out these roles will not be paid, but CHS will cover all reasonable expenses.
- 2.3 Discussions around the number and location of ASTs have been progressing nationally but are not yet complete. The National Convener is therefore looking to appoint Area Conveners and Depute Area Conveners in two phases, starting in those areas where there is formal agreement or agreement in principle to the location of an AST. Recruitment of the Area Convener and Depute Area Convener for the proposed Ayrshire AST is included in the first phase of recruitment. It is anticipated that appointments will be made by mid September 2012. Successful candidates will initially be designated as Area Convener-Designate and Depute Area Convener-Designate.

### Local Developments

- 2.4 The Area Convener and Depute Area Convener will formally take up appointment when ASTs assume their full statutory responsibilities in June 2013. In the intervening period a comprehensive induction and training programme will be arranged. Area Conveners-Designate and Depute Area Conveners-Designate will play a key role over the coming months in shaping their ASTs and in preparing them for the go live date. Initial appointments will last for two years from June 2013 until June 2015. Any subsequent re-appointments will be for three years.

- 2.5 The three Ayrshire local authorities have agreed in principle to provide support to the new AST. CHS is keen to conclude a formal Partnership Agreement by September 2012. A draft Partnership Agreement prepared by CHS is appended. This records the commitment of CHS and the Council(s) to support the AST from 24 June 2013 until 30 June 2017. The Agreement will be subject to annual review and agreement.
- 2.6 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. Consideration has been given as to whether each authority should continue to be involved in supporting the AST, or whether one authority should take the lead with the costs of providing support met by all three authorities.
- 2.7 To ensure the AST receives coordinated support, the latter approach is favoured, with North Ayrshire as Lead Authority. The case for North Ayrshire taking the lead is based on an analysis of the Number of Children's Hearings held across the three authority areas over the period 2003/4 to 2011/12. Statistics published by the Scottish Children's Reporter Administration (SCRA) reveal that of 36,559 hearings across the three areas in the period, East Ayrshire accounted for 12,193 (33%), North 16,408 (45%) and South 7956 (22%).
- 2.8 These proportions are more or less replicated when looking at other key comparisons e.g. Number of Children Referred (East 14,839 (34%), North 18,220 (41%) and South 10,857 (25%) and Number of Referrals (East 27,273 (33%), North 34,952 (43%) and South 19,457 (24%).

### **3. Proposals**

- 3.1 It is proposed that the Cabinet agrees (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.

#### **4. Implications**

##### Financial Implications

- 4.1 The Scottish Government has confirmed in writing (its expectation) that the costs of supporting ASTs can be met from existing budgets, and that local authorities will be able to make savings as the functions on which they currently spend money pass to CHS, Children's 1st, and the Scottish Legal Aid Board.
- 4.2 The main elements of Council expenditure in supporting the Children's Hearings System relate to:-
  - CPAC/Panel Member training;
  - CPAC/Panel Member travel and subsistence expenses;
  - Safeguarder training;
  - Safeguarder fees and travel and subsistence expenses;
  - Legal Representatives fees and travel and subsistence expenses (these are reclaimed from Scottish Government);
  - Attendees travel expenses.
- 4.3 After the 'go live' date of 24 June 2013, the first two elements will be met by CHS. Children 1st will maintain the national Panel of Safeguarders and meet all associated costs. Responsibility for Legal Representatives will transfer to the Scottish Legal Aid Board, with that body meeting all future costs.
- 4.4 The Council will require to meet the costs of any staff required to support the AST and any IT equipment that the AST Convener may require. Scottish Government has confirmed that costs associated with the attendance of children and families (Attendees) at Hearings will continue to be met by local authorities. The Scottish Government also expects that Councils will continue to provide 'in kind' support for ASTs e.g. meetings rooms.
- 4.5 Discussions have taken place with East and South Ayrshire Councils and it has been suggested that each Council's future contribution to supporting an Ayrshire AST should be based on the SCRA proportions detailed in paragraph 2.7.

## Human Resource Implications

- 4.6 Based on 160 local Panel Members, the Scottish Government Implementation Working Group has suggested that the Ayrshire AST might consist of 28 Members. The Working Group has estimated that 2.5 FTE posts will be required to support the Ayrshire AST. These are however estimates and open for discussion with the National Convener.
- 4.7 Discussions are ongoing with East and South Ayrshire Councils to identify what staffing will be required to support the Ayrshire AST. The level of staffing required will be informed by the final structure of the AST, the number of local Panel Members, the level of funding available, and the expectations and abilities of the Area Convener. Discussions on these matters will be taken forward with the Ayrshire authorities and the Area Convener once he or she is in place. It is expected at this point that North Ayrshire will provide all staff to support the AST.
- 4.8 Currently, each of the Ayrshire authorities identifies an Officer to act as Clerk to their Children's Panel Advisory Committee. The role of Clerk is undertaken as part of the Officer's substantive post, with additional administrative support being provided as required. In North Ayrshire the role of Clerk is undertaken by the Committee Services Manager, with administrative support being provided by a Committee Services Support Officer.
- 4.9 In June 2012, CHS published a document entitled "*Area Support Teams: Functions, Roles and Responsibilities*". This document, as the title suggests, sets out the expected functions, roles and responsibilities of key players in the new system e.g. Area Convener and Depute, Panel Representatives, Local Authority Representatives and so on.
- 4.10 One of the key roles is that of Clerk to the AST. The Clerk will act as the central point of contact for AST and Panel members and will play an integral role in supporting the Area Convener and the AST in general. Based on the Role Description produced by CHS, it is likely that the Clerk will have a more substantive role under the new system of ASTs, and a full-time post may be required.
- 4.11 Discussions will continue with East and South Ayrshire Councils, and the Area Convener, to firm up on the level of support to be provided to the AST. Any additional staff costs will be met from the savings identified above.



#### Legal Implications

- 4.12 In terms of the 2011 Act, the National Convener is required to secure the agreement of local authorities in order to establish ASTs to support the work of Panel members in the Children's Hearings System at a local level. The three Ayrshire Councils have already agreed in principle to support the Ayrshire AST.

#### Equality Implications

- 4.13 None arising from this report.

#### Environmental Implications

- 4.14 None arising from this report.

#### Implications for Key Priorities

- 4.15 The proposals in this report for an Ayrshire AST support the Council Plan Core Objective 2 – Protecting Vulnerable People.

### **5. Consultations**

- 5.1 Consultations are ongoing with colleagues in East and South Ayrshire Councils. Discussions have taken place with existing CPAC/Panel Chairs and Members in relation to the establishment of an Ayrshire AST.

### **6. Conclusion**

- 6.1 The report sets out proposals for the Council's future involvement in supporting the Ayrshire Area Support Team to be established in terms of the Children's Hearings (Scotland) Act 2011.



ELMA MURRAY  
Chief Executive

Reference : MMcK

For further information please contact Martyn McKeown, Committee Services Manager on 01294 324130.

#### **Background Papers**

Proposals for the Establishment of Area Support Teams (CHS July 2011)

Area Support Teams: Functions, Roles and Responsibilities (CHS, June 2012)

National Standards for the Children's Panel (CHS July 2012)



## **Children's Hearings Scotland**

Agreement with

## **North Ayrshire Council**

-----

1. This Agreement is established between Children's Hearings Scotland (CHS) and North Ayrshire Council (the Council) under the terms of the Children's Hearings (Scotland) Act 2011, and relates to the support and administration requirements of the Ayrshire Area Support Team, as defined by the 2011 Act.

### **Background**

2. The 2011 Act makes a number of changes to the children's hearings system ("the System") to help ensure that the System is nationally consistent and locally delivered, to ensure that all hearings are child and young person centred and that they make effective, evidence based decisions.
3. The 2011 Act provides for:
  - a new position of National Convener to provide leadership, support and coherence for panel members across Scotland;
  - the establishment of CHS, a new dedicated national body which will provide coherent and consistent support for panel members across Scotland, and support for the National Convener in the exercise of his/her responsibilities;
  - the establishment of a national Children's Panel to replace the existing 32 local Panels;
  - the establishment of Area Support Teams (ASTs) on a collaborative basis between local authorities and CHS to take local responsibility for the recruitment, selection, training, retention, support and deployment of panel members, and the operation of the System in local areas;
  - appointments to ASTs to be made by the National Convener, key among these will be the Area Convener who will provide leadership and direction to the AST and ensure that it fulfils its responsibilities.
4. The Council undertake to support the operation of the Ayrshire AST, panel members and the System as set out in this Agreement.

### **Purpose of the Agreement**

5. The purpose of this Agreement is to record the commitment of CHS and the Council to support:

- the System in Scotland, and the national children's panel and underpinning framework of standards, in line with the terms of this Agreement
- administration of the Ayrshire AST by the Council through the provision of the services of an AST clerk, and his or her team, and adequate accommodation, office and administration support required for the effective operation of the Ayrshire AST
- the national children's panel within the Ayrshire AST area through the Council providing accommodation, administrative support and resources which will assist the AST and CHS with recruitment and retention of sufficient panel and AST members at the area level.
- the System in the Ayrshire AST area by CHS providing continuity of funding, effective support to ASTs, partner engagement and consultation, and information, advice and guidance in line with agreed national standards

**6. This Agreement is intended to underpin a shared commitment to the System by establishing a clear, uniform understanding across Scotland of the services to be provided for the support and administration of ASTs, and to clarify the commitment of the parties involved to the provision of these services.**

## **Duration**

**7.** This Agreement shall commence on the 24 June 2013 **and unless the Parties agree otherwise, shall subsist until 30<sup>th</sup> June 2017.** The Parties shall review this Agreement annually to agree the services to be provided during the following year.

## **Principles**

**8.** The System, as revised under the terms of the 2011 Act, is based on well-established principles which place the child at the centre of our concerns, requiring the operation of the System to be fair and responsive and to be administered effectively and efficiently. Eight standards for the operation of the System have been set out in a national standards framework (the National Standards):

1. Children are at the centre of everything we do
2. Panel members are well equipped and supported to undertake their role
3. Panel member practice is consistent across Scotland
4. Every children's hearing is managed fairly and effectively
5. Every children's hearing makes decisions based on sound reasons in the best interests of the child or child or young person
6. AST members are well equipped and supported to undertake their role
7. Communication and information sharing across the Children's Panel, ASTs and CHS is clear, appropriate and purposeful
8. Functions, roles and responsibilities are clearly defined and understood within the System

9. It is acknowledged that these standards will only be achieved through a shared commitment by the National Convener, CHS, Ayrshire AST, panel members and local authority partners. The effective operation of the Ayrshire AST is central to the achievement of these standards, and in this regard, the contribution by the Ayrshire AST clerk and his/her team is of critical importance.

## **Service Commitment**

### Services to support the Ayrshire AST

10. CHS will provide:

- i) Continuity of funding in relation to
  - a. the recruitment, appointment, training and assessment of Ayrshire panel members
  - b. the recruitment, appointment, training and assessment of Ayrshire AST members
  - c. the advice, guidance and information required to enable Ayrshire AST members to fulfil their responsibilities
  - d. the payment of expenses for all volunteers including panel members, the Area Convener and Ayrshire AST members in accordance with the national scheme of expenses to be prepared and updated from time to time by CHS
  - e. the payment of Protection of Vulnerable Groups (PVG) fees for all panel members and AST members.
- ii) Support and training through
  - a. the development of a national training curriculum and delivery to Ayrshire AST members and panel members
  - b. localised delivery of training including support and funding to the Ayrshire AST training team
  - c. delivery of Panelpal training for the Ayrshire AST Clerk and relevant members of their team
  - d. ensuring the National Convener's duty to provide legal and procedural advice for children's hearings is fulfilled and Ayrshire AST members have the information they require to effectively support the work of panel members
  - e. fielding day-to-day enquiries from Ayrshire AST and providing advice on the role of Ayrshire AST members and on any panel member issues that the AST is unable to deal with.
  - f. guiding and monitoring the day to day work of Ayrshire AST to make sure that it is in accordance with the National Standards.
  - g. creating systems for the exchange of ideas, learning and best practice between ASTs

- iii) The learning and development of ASTs through sharing of good practice and effective performance management including
  - a. supporting the National Convener in annual assessment of ASTs and sharing with the Council any issues arising from the annual reporting process
  - b. providing training, advice and support to AST members in the assessment process
  - c. establishing systems for analysing the activities, performance and impact of ASTs and sharing this information with all relevant partners including the local authority
- iv) Support the clerks and their teams through the AST and CHS networks to be established
- v) Other ad hoc and incidental support as agreed with the Council

11. The Council will provide:

- i) A member of staff who is suitably trained, qualified and experienced, to act as the clerk of the Ayrshire AST and specifically to
  - a. provide general administrative and secretarial support to the Area Convener and the Ayrshire AST
  - b. organise Ayrshire AST meetings, including accommodation, agendas, preparation of reports , including financial reports, and minute taking
  - c. make administrative arrangements enabling the Area Convener to assess Ayrshire AST members
  - d. assist the Area Convener with the preparation of reports to the National Convener and the Ayrshire ST annual report
  - e. ensure the collection, analysis, reporting and return (where required) of information required for performance and monitoring purposes
  - f. maintain a database of panel member workload and allocation to inform local training and recruitment strategies
  - g. provide administrative support to the panel representatives in the preparation of the panel member rota
  - h. liaise closely with the Area Convener and panel representatives to put on place arrangements to manage changes to the rota and procedures to ensure that panel members are available for emergency hearings, out of office hours and at short notice when required
  - i. maintain up to date records of panel member availability
  - j. work with the Area Convener and Ayrshire AST colleagues to ensure the availability of sufficient panel members
  - k. check and process claims for the payment of panel member allowances in keeping with the national scheme of expenses

- l. work with appropriate CHS staff to prepare expenses budgets and make quarterly reports of expenditure in order to reclaim funding from CHS
  - m. respond to telephone and other enquiries in relation to the Ayrshire AST or the national children's panel
  - n. support the panel member recruitment and selection process
- ii) Accommodation and office support and facilities appropriate to support the functions of the Ayrshire AST including
- a. office support for Ayrshire AST meetings
  - b. take all reasonable steps to provide meeting space for Ayrshire AST meetings
  - c. minute taking and secretarial support for Ayrshire AST meetings and events
  - d. take all reasonable steps to provide meeting and seminar facilities for local panel member events organised by the Ayrshire AST, for example training sessions and information evenings for prospective panel members
- iii) Secure IT and office support systems required to allow the clerk and other relevant Council staff to support the proper functioning of the Ayrshire AST
- iv) Other ad hoc and incidental support as agreed in advance with CHS

### **Structure, Personnel and Administration**

12. The names, job titles and contact details of key personnel will be submitted without delay to the National Convener by the clerk.
13. The Area Convener and Ayrshire AST members will determine any sub-committee arrangements with local partners and will ensure relevant parties are aware of such arrangements.
14. The clerk will also provide the National Convener with a specification of the AST sub committee structure once determined.

### **Disagreements and Conflicts**

15. CHS and the Council agree that when disagreements and conflicts arise about the operation of the AST all efforts will be made to achieve resolution as quickly and expeditiously as possible by the Area Convener and senior nominated Council representatives. When an issue arises where resolution is not achieved locally, the matter shall be referred to the National Convener and the Chief Executives of the Council.

## General

16. In agreeing to work together to support the System and Ayrshire AST as set out in this Agreement, both CHS and the Council acknowledge and will comply with their respective obligations, including but not limited to the following:
- a. the Freedom of Information (Scotland) Act 2002;
  - b. the Data Protection Act 1998, and
  - c. the Equality Act 2010
17. Neither CHS nor the Council shall disclose to any person any confidential information relating to the other party except in the proper course of its duties.
18. Neither CHS nor the Council shall issue any publicity (including press announcements) relating to or otherwise reveal or make public any financial or other confidential information in connection with the services provided or the terms of this Agreement without the prior written consent of the other. Neither party will knowingly commit or permit any of its employees, agents or subcontractors to commit any act which might prejudice or damage the reputation of the other.
19. Each Party shall have Employers Liability and Public Liability insurance to cover their respective duties under this Agreement. The level of cover shall be in compliance with all relevant statutory requirements.

Signed on behalf of the North Ayrshire Council

Chief Executive

Date

Signed on behalf of Children's Hearings Scotland

National Convener

Date



---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 5**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **Benefit payments to all 16-17 year olds who meet the eligibility criteria for aftercare support from North Ayrshire Council.**

---

**Purpose:** To seek the Cabinet's agreement to 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 of Work and Pensions.

---

**Recommendation:** The Cabinet is asked to approve Social Services request to increase the above benefit payments annually in line with DWP rates.

---

#### **1. Introduction**

- 1.1 Social Services reported to the Social Services Committee on 24 February 2004 on the subject of changes to supporting young people leaving care in Scotland. This included the implication in relation to financial support.
- 1.2 The new duties arising from the support and assistance of young people leaving care (Scotland) regulations and guidelines 2003 came into force on 1 April 2004.
- 1.3 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.
- 1.4 As part of this agenda the Department of Work and Pensions transferred 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, to each Council from 1 April 2004. Additional funding was given to local government in recognition of the transfer of this responsibility.

## **2. Current Position**

- 2.1 North Ayrshire Council is currently paying benefits to this group of young people below DWP the levels of benefit.

## **3. Proposals**

- 3.1 That North Ayrshire Council agrees to increasing these payments in line with current benefit levels and increasing this on an annual basis effective from 1 April each year in order to match those rates set by the Department of Work and Pensions.

## **4. Implications**

### Financial Implications

- 4.1 There are currently 16 young people in receipt of benefit payments for aftercare support. By increasing the current payment level to this group of young people from £52.00 to £57.00 per week an additional cost of £4160 will be incurred for 2012/13 to address the backdating of the increase in payment from 1st April 2012. This will be met from existing budgets.

### Human Resource Implications

- 4.2 There are no Implications

### Legal Implications

- 4.3 While the level of payment to this group of young people is not laid out in statute it is believed that the Council would not wish to pay young people less than the levels set by the DWP.

### Equality Implications

- 4.4 The Council will meet its statutory duty to promote equality by ensuring that the young people it has legal responsibility for are given access to the same levels of benefit as those young people in the community.

### Environmental Implications

- 4.5 None

## Implications for Key Priorities

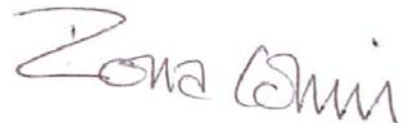
- 4.6 National Outcome 7. We have tackled the significant inequalities in Scottish Society.  
NAC Outcome 7(b). Fewer people are living in poverty.

### 5. Consultations

- 5.1 Consultation has taken place with the Social Services Throughcare Team and the Department of Work and Pensions in relation to appropriate benefit levels to be paid to this group of young people.
- 5.2 Social Services finance section have been involved in discussions about the request to increase these payments on an annual basis.

### 6. Conclusion

- 6.1 North Ayrshire has a legal responsibility to make benefit payments to this group of young people. It also has a duty as a corporate parent to these young people to ensure that these payments match those made by the DWP to this age group.
- 6.2 The Cabinet is asked to approve Social Services request to increase the above benefit payments annually in line with DWP rates to this age group.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : AP/NS

For further information please contact Alison Paterson, Senior Manager, Residential and Throughcare Services on 01294 317795.

### Background Papers

Children (Scotland) Act 1995

Department of Health (2000) Children Leaving Care Act

Scottish Executive (2004) Supporting Young People Leaving Care in Scotland

Social Services Committee, 24/04/2004, Agenda Item 3

Regulations and Guidance on Services for Young People Ceasing to be Looked After by Local Authorities



---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 6**

**2 October 2012**

#### **Cabinet**

---

<b>Subject:</b>	<b>Scottish Futures Trust, South West Hub Territory – Appointment of a Private Sector Development Partner and establishment of SWhubco</b>
<b>Purpose:</b>	To update the Cabinet on the selection of a private sector partner, and to seek approval from the Cabinet to participate in the South West Territory Hubco.
<b>Recommendation:</b>	It is recommended that the Cabinet approve (a) the appointment of Alliance Community Partnerships as private sector development partner for SWhubco; (b) North Ayrshire Council's participation in SWhubco; (c) the investment of equity and the provision of working capital to SWhubco to become a Shareholder in SWhubco, noting that this will be met from SFT Enabling Funding; (d) the entering into of the Partnering Agreement, Shareholders Agreement and Participants Agreement; and (e) to the appointment of a B Shareholders' Director on the Board of SWhubco and provision of delegated authority to other representatives all as detailed.

---

#### **1. Introduction**

- 1.1 The purpose of this report is to provide an update on the procurement process to select a private sector development partner to join with the current nineteen participants and Scottish Futures Trust to form SWhubco. The report also considers the representation from North Ayrshire Council within the proposed governance arrangements.
- 1.2 The current Participants comprise NHS Dumfries & Galloway, NHS Lanarkshire, NHS Ayrshire and Arran, Dumfries and Galloway Council, North Ayrshire Council, South Ayrshire Council, East Ayrshire Council, South Lanarkshire Council and North Lanarkshire Council, Strathclyde Joint Police Board, Strathclyde Fire and Rescue, Dumfries & Galloway Constabulary, Dumfries and Galloway Fire and Rescue, Scottish Ambulance Service, NHS National Services Scotland, Scottish Court Service, Loreburn Housing Association and other Registered Social Landlords, Irvine Bay Regeneration Company and other urban regeneration companies and the NHS State Hospitals Board for Scotland.

- 1.3 Hub is a procurement vehicle supporting a long term programme of investment in community infrastructure for local authorities, NHS Boards and other public sector bodies across Scotland. It will provide a mechanism for delivering assets more effectively through a single partner, with continuous improvement leading to better value for money. The opportunity for a private sector delivery partner is to be part of a systematic approach to infrastructure planning and delivery in a territory over an extended time period.
- 1.4 The Hub will deliver projects expressly identified in the Territory Delivery Plan as Qualifying Projects. Projects will focus on new build but could also include the refurbishment and asset management services of existing infrastructure. Currently Garnock Academy and Montrose House are in the draft Delivery Plan. Inclusion of these projects in the Territory Delivery Plan reflects the Enabling Funding of £1,677,457 that has been provided by SFT to support these projects and the availability of support funding from the Scottish Government for the Garnock Campus if procurement is via SWhubco. Unless there is a specific Scottish Government requirement for a project to be procured via SWhubco, it will be a matter for the Council to decide if this route offers the best value for money.
- 1.5 The hub structure will encompass both private project finance and traditional publicly funded developments. The equity and working capital of hubco will be split among the private sector development partner, the Participants and the Scottish Futures Trust (60%, 30% and 10% respectively). A Shareholders Agreement among the private sector development partner, the Participants and the Scottish Futures Trust will regulate the respective rights and responsibilities of each party and set out the matters in relation to which hubco must first obtain the consent of each category of shareholder. A hub Territory Partnering Agreement among the Participants and hubco will set out the rights and obligations of the parties, including the provision of partnering services by hubco to the Participants and the exclusivity provisions granted by some of the Participants to hubco. The exclusivity relates to projects already in the Delivery Plan, and beyond that, the Council will be able to decide on an individual project basis.
- 1.6 The key objectives of hub are:
- (a) to provide enhanced local services by increasing the scale of joint service working and integration between Community Planning Partnerships, including the third sector, across Scotland;

- (b) to deliver a sustained programme of joint asset management and investment into community based facilities and developments so that more services are provided locally in communities through multi-disciplinary teams working (wherever possible and appropriate) from single sites;
- (c) to establish a more efficient and sustainable procurement methodology for public sector bodies that:
  - reinforces joint strategic planning and delivery;
  - is stable and long-term;
  - delivers demonstrably better value for money than current procurement arrangements;
  - is flexible in its ability to respond to evolving service strategies and in being able to deliver through different contractual/ funding routes; and
  - is able to generate sufficient project size, volume and cash flow to attract private finance into the delivery and long-term management of the service;
- (d) to share learning and improve the procurement process;
- (e) to deliver facilities for Services that meet public sector policy objectives for design quality and sustainability;
- (f) to facilitate and improve the level of stakeholder engagement in the planning of services and development of facilities for Services;
- (g) to increase opportunities for local employment and training.

1.7 To ensure hub objectives are delivered, a schedule of Key Performance Indicators (“KPIs”) detailing minimum areas of performance and minimum performance requirements (for example in relation to reducing project delivery timescales, project costs and local supply chain development) has been developed for the SWhub Territory. The proposed Preferred Bidder has produced a detailed schedule relating to them. The proposed Preferred Bidders’ proposals for KPIs exceed the minimum requirements. Critical success factors and specific benefits realisation targets for individual projects will be determined during the hub approvals process for each new project.

## **2. Current Position**

- 2.1 The SWhub Territory Programme Board has previously acknowledged the need for the territory to employ effective and meaningful engagement mechanisms. The importance of effective communications to the success of the programme warranted the establishment of a territory communications plan in October 2011. The plan mapped out the key stakeholders and established arrangements for ensuring the regular flow of information in regards to the territory's procurement programme, the preparation of the draft Territory Delivery Plan, and general briefing information to increase the understanding of SWhub within the market place and local public sector.
- 2.2 The territory programme board has received widespread support from all agency partners and continues to build an effective partnership working ethos, linking integration and co-location with a new direction for the delivery of local public services.
- 2.3 The SWhub Territory OJEU was issued in August 2011 with a shortlist of three tenderers approved in November 2011 which was followed by the competitive dialogue process. The procurement process throughout has been delivered using representatives of the participant organisations known as the Working Group. The Working Group consisted of representatives of North Ayrshire Council, South Ayrshire Council, East Ayrshire Council, South Lanarkshire Council, North Lanarkshire Council, NHS Lanarkshire, NHS Dumfries & Galloway and Scottish Futures Trust. Legal (Shepherd+Wedderburn), Financial (Ernst&Young) and Technical Advisors (Turner and Townsend) were also part of the Working Group as specialist advisors.
- 2.4 The hub Procurement phase included:
  - initial formation of the territory;
  - the establishment of the SWhub Territory partnership governance and financial management arrangements;
  - the development of the SWhub Territory delivery plan;
  - the preparation of the standard form Territory Partnering Agreement, Shareholders Agreements and delivery contracts; and
  - the procurement of the Territory's private sector development partner to form the hubco.
- 2.5 The Procurement Process and Evaluation Report are contained in Appendix 1.



2.6 The three short listed tenderers selected to participate in the Competitive Dialogue Process were:

**2.6.1 Wellspring Miller Sweett Partnership**

The constituent companies %age shareholding are as follows:

- Apollo Capital Projects Limited (4%)
- Community Solutions Management Services (4%)
- Cyril Sweett Investments Ltd (20%)
- Miller New Investco (40%); and
- Morgan Sindall Group PLC (32%)

**2.6.2 Alliance Community Partnership**

The constituent companies %age shareholding are as follows:

- Equitix Holdings Ltd (60% Subsequently increased to 70% see note under competitive dialogue);
- Davis Langdon Ltd. (10%) Subsequently removed see note under competitive dialogue
- Kier Project Investment Ltd (10%);
- John Graham Holdings Ltd (10%); and
- Galliford Try Investments Ltd (10%).

**2.6.3 Triarch**

The constituent companies %age shareholding are as follows:

- Laing O Rourke PLC, (31%);
- HOCHTIEF Concessions AG, (31%);
- Dawn Group Limited, (31%); and
- Currie & Brown UK Limited (7%)

2.7 The competitive dialogue process commenced in December 2011 and composed of 6 formal meetings with each tenderer plus separate technical, legal and financial meetings. A number of formal clarifications were issued to tenderers as part of the process.

2.8 Prior to Dialogue Submission 3 the Triarch consortium withdrew from the process as a result of the Dawn Group reviewing their continued participation following their decision to 'wind down' Dawn Construction Ltd. The process therefore continued with the two remaining bidders.

2.9 Just prior to Final Tender submission Alliance Community Partnerships indicated that Davis Langdon would not be taking up its equity stake in the Consortium. The Territory Team, Professional Advisors, Working Group and SFT undertook a review of the original PQQ submission to ensure that the revised team excluding Davis Langdon would still have qualified to Participate in Dialogue and submit a Final Tender. This review concluded that the revised structure was acceptable and would have passed the PQQ assessment such that Alliance Community Partnerships would have been shortlisted.

2.10 The evaluation criteria matrix has been evolved from commencement of the dialogue phase and revised to improve clarity and understanding for both tenderers and the evaluation team. It is split into price at 40% and non-price 60% of the total mark. The final evaluation scores are summarised below:

Bidder	Non-Price (60%)  Establishing and operating hubco Company (10%)	Non-Price (60%)  Approach to Partnering (40%)	Non-Price (60%)  Key Performance Indicators & Continuous Improvement (10%)	Price Evaluation (40%)  Qualitative (20%)	Price Evaluation (40%)  Quantitativ e (20%)	Total Score *
<b>Alliance Community Partnerships</b>	8.4%	33.6%	8%	14.5%	17.7%	82.6 6%
<b>Wellspring Miller Sweett Partnership</b>	8.6%	30.6%	7%	14.5%	19.7%	80.3 9%

*\*note – total scores have been taken from detailed master score sheet therefore there is a small rounding adjustment*

2.11 This shows that Alliance Community Partnerships has achieved the highest score and is proposed to be appointed as Private Sector Development Partner. At its meeting held on 3rd August 2012 the SWhub Territory Programme Board agreed that Alliance Community Partnerships were the preferred bidder to become the Private Sector Development Partner. This was subsequently ratified by the National Programme Board on 6<sup>th</sup> August 2012.

2.12 The development phase is now at the stage where permission is 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.

- 2.13 There is also the requirement to appoint a B Shareholder Director to the Board of Hubco, to represent all of the public sector partners on the Hubco board.

### **3. Proposals**

- 3.1 The hubco is a partnering arrangement among the public sector Participants, Scottish Futures Trust and a private sector development partner. A summary of the proposed governance procedures and the role of the Territory Partnering Board and SWhubco Board are included in Appendix 2.

- 3.2 The Territory Delivery Plan, contains Identified Projects including the specific projects for which North Ayrshire is identified as the Participant Sponsor – i.e. Montrose House and Garnock Campus.

- 3.3 It is recommended that the Cabinet 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 this are shown in Appendix 3.
- (e) the following appointments:
  - (i) Delegated authority to be given to Ian Mackay, Solicitor to the Council to execute the agreements outlined at 3.3 (d) 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;
- (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.

#### **4. Implications**

##### Financial Implications

- 4.1 Other than through the development of new projects under the hub initiative no other financial implications are identified for North Ayrshire Council. Management of the procurement process and taking forward initial schemes has been met from within the resources allocated to the SWhub Territory Programme Board. Additional financial implications will be brought forward to the SWhub Territory Participants following formation of the hubco and any stage 1 business cases for schemes. Such additional costs will be directly linked to new projects being taken forward by the Council using Hubco.
- 4.2 The investment required by the Public Sector participants who will become shareholders, to set up the hubco is a maximum of £30 and working capital of a maximum of £300,000. There shall be an equal shareholding for those participants who elect to take a shareholding, and the provisions of working capital shall be split in the same proportions These funds have been made available by SFT through hub enabling funds and there is no cost to the participants.
- 4.3 The SWhub Territory Programme Board have a revenue budget of £1.4m which is currently forecast to last until 2017/18 and will be closely monitored by the Territory Partnering Board. This funding supports the hub development team of 3 staff and their professional advisors. The Territory Partnering Board will be required to agree on the level of budget and associated staffing required after 2017/18.

- 4.4 Participants will incur costs outwith hubco in relation to the development of their own projects (e.g. independent cost consultants to check hubco's proposals, legal and financial advice for DBFM projects) and should make due allowance within their overall project budgets. This will be specific to individual projects.

#### Human Resource Implications

- 4.5 There are no significant workforce implications. The Programme Board have agreed to fund (via SFT) a SWhub Programme Director to act on behalf of the Participants, work closely with hubco and ensure hubco deliver their Business Plan including Participant's projects that are delivered through hubco.
- 4.6 In addition, the SWhub Territory Programme Board has agreed the allocation of revenue funding to fund a Programme Manager and Support Officer from within the SWhub Territory's Revenue budget and ongoing funding will be reviewed by the Territory Partnering Board.
- 4.7 The lead officer for the Council will be the current Director of Finance and Infrastructure.

#### Legal Implications

- 4.8 Legal Advisors (Shepherd and Wedderburn) were appointed in September 2011 to act on behalf of the Participants to support the hub procurement programme. The Territory Partnering Agreement, which covers exclusivity and the legal implications of Identified Projects and "Qualifying Projects" (i.e. projects to be delivered by hub on an exclusive basis subject to meeting value for money criteria), and the services to be provided by hubco will require to be signed by an authorised participant representative. For North Ayrshire Council, this will be the Solicitor to the Council.
- 4.9 The Shareholders Agreement will also require to be signed by an authorised participant representative if the participant wishes to become a shareholder. A final agreement (the Participants' Agreement) will also require to be signed by each participant. The Participant Agreement contains the governance rules by which Shareholders shall operate. The aforementioned agreements are summarised in Appendix 3.
- 4.10 A note on value for money and a flowchart detailing the SWhub project approval process are also included in Appendix 3.

## Equality Implications

- 4.11 Alliance Community Partnerships have demonstrated compliance with all statutory requirements in this area in the documents submitted as part of its bid and will continue to be assessed on an ongoing basis as part of the performance management framework with hubco.

## Environmental Implications

- 4.12 None

## Implications for Key Priorities

- 4.13 The participation in SW Hubco will assist in the delivery of the following key objectives:

(12a) Our environment is protected and enhanced.  
(15b) Public Services are more efficient and effective.  
(15c) Partnership working has improved.

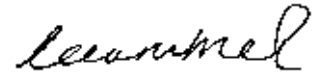
## **5. Consultations**

- 5.1 Previous reports have been considered by Members at key stages of the project's development, and appropriate senior officers have been consulted.
- 5.2 Extensive public consultation on hub projects is paramount to success and Alliance Community Partnerships have demonstrated a commitment to rolling out a comprehensive programme of consultation that is appropriately managed.
- 5.3 A further opportunity will be taken to consult with territory participants, key stakeholders, the appointed Private Sector Development Partner, and the SW hubco, to ensure that the territory's communications are optimised. This is particularly important given the need to rapidly develop an effective business working relationship between the territory's many interests.

## **6. Conclusion**

- 6.1 The development of SW Hubco is now completing its procurement phase with a private sector development partner ready to be appointed.

- 6.2 Key decisions are required from public sector territory participants to consider taking on partnership and shareholding in SW Hubco.
- 6.3 Delegated authority is required for a number of senior officers to represent the Council's interests in SW Hubco.



LAURA FRIEL  
Corporate Director (Finance and Infrastructure)

Reference : AB/II

For further information please contact Angus Bodie on 01294 225211

**Background Papers**  
none





## Procurement Process and Evaluation Report

### 1.0 Introduction

- 1.1 This Appendix details the evaluation process and its outcomes in respect of the competition to appoint a Private Sector Development Partner ("PDSP") for the South West hub Territory.

### 2.0 Competitive Dialogue Process and Timetable

- 2.1 The following table details the steps in the competitive dialogue procurement process and the timetable from its commencement to completion.

<b>PQQ Phase</b>	<b>Actual/Forecast</b>
Publication of OJEU Notice	16 <sup>th</sup> August, 2011
Return of Prequalification Questionnaire	30 <sup>th</sup> September, 2011
Completion of PQQ Evaluation	21 <sup>st</sup> November, 2011
<b>Dialogue Phase</b>	<b>Actual/Forecast</b>
Issue of ITPD to shortlist	29 <sup>th</sup> November, 2011
Kick-off Meetings	6 <sup>th</sup> , 7 <sup>th</sup> and 8 <sup>th</sup> December 2011
Bilateral Meetings	13 <sup>th</sup> , 14 <sup>th</sup> and 15 <sup>th</sup> December 2011
<b>Tender Dialogue Submission 1</b>	9 <sup>th</sup> January 2012
Bilateral Meetings	31 <sup>st</sup> January, 1 <sup>st</sup> and 2 <sup>nd</sup> Feb 2012
<b>Tender Dialogue Submission 2</b>	9 <sup>th</sup> February 2012
Bilateral Meetings	29 <sup>th</sup> Feb, 1 <sup>st</sup> and 2 <sup>nd</sup> March 2012
<b>Tender Dialogue Submission 3</b>	9 <sup>th</sup> March 2012
Close of Dialogue Meetings	4 <sup>th</sup> and 6 <sup>th</sup> April 2012
Final briefing session with each bidder	18 <sup>th</sup> April 2012
<b>Final Tender Phase</b>	<b>Actual/Forecast</b>
Issue of Invitation to Submit Final Tender	15 <sup>th</sup> May, 2012
Final Tenders Submitted	19 <sup>th</sup> June, 2012
Preferred Tenderer approved by Territory Programme Board	3 <sup>rd</sup> August, 2012
<b>Execution of Final SWhub Partnering Agreements</b>	18 <sup>th</sup> October, 2012

### 3.0 Evaluation of Pre Qualification Questionnaires

- 3.1 A total of 7 Prequalification Questionnaires ("PQQs") received in response to OJEU ref **2011/S 159-262657**. These were evaluated in accordance with the Information Memorandum and the PQQ.
- 3.2 Each submission was required to pass the following three general hurdles before being fully scored and ranked.

### **3.2.1 Compliance Check**

Each submission went through the compliance check.

### **3.2.2 Financial Evaluation**

Each compliant submission then underwent the financial evaluation which consisted of quantitative and qualitative elements. Each submission was required to achieve a minimum score of 40.

### **3.2.3 Critical Areas**

7 submissions progressed to technical evaluation; scoring and short listing. The technical evaluation section included 4 Critical Areas where each submission was required to achieve a minimum score of 7 out of 10 in respect of each Critical Area. All submissions achieved the minimum score in one or more of the Critical areas and therefore all 7 progressed to full technical evaluation.

- 3.3 Having received a report on the evaluation of the submissions and details of the final scores, at its meeting held on 28<sup>th</sup> November 2011 the SWhub Territory Programme Board agreed to shortlist the following three Applicants and invite them to participate in dialogue:

**Wellspring Miller Sweett Partnership** (Apollo Capital Projects Ltd., Community Solutions Investment Partners Ltd, Miller Corporate Holdings Ltd, Morgan Sindall Group PLC, Cyril Sweett Group PLC);

**Alliance Community Partnerships** (Equitex Holdings Ltd, Davis Langdon Ltd, John Graham Holdings Ltd, Keir Scotland, Galliford Try PLC)

**Triarch** (Laing O'Rourke PLC; Hochtief Concessions AG; Dawn Group Ltd; Currie & Brown UK Ltd).

- 3.4 The Invitation to Participate in the Dialogue was issued to the 3 shortlisted tenderers on 28<sup>th</sup> November 2011.

## **4.0 The Competitive Dialogue Process**

- 4.1 The dialogue process commenced on 28<sup>th</sup> November 2011 with the issue of the Invitation to Participate in Dialogue document. As noted in the table in paragraph 2.1 above, 6 formal meetings were held with each tenderer plus separate legal, financial and technical meetings. 4 formal clarifications in the form of Bulletins were issued to tenderers along with a number of clarifications to individual bidders during the competitive dialogue process.
- 4.2 Prior to Dialogue Submission 3 the Triarch consortium withdrew from the process as a result of the Dawn Group reviewing their continued participation following their decision to 'wind down' Dawn Construction Ltd. The process therefore continued with the two remaining bidders.

- 4.3 At its meeting held on 26<sup>st</sup> April 2012 the SWhub Territory Programme Board considered a report on the competitive dialogue process and agreed to close the dialogue and to authorise the issue of the Invitation to Submit Final Tenders (ITSFT). Tenderers were notified of the close of dialogue and issued with the ITSFT on 15<sup>th</sup> May 2012
- 4.4 Prior to Tender submission Alliance Community Partnerships indicated that Davis Langdon would not be taking up its equity stake in the Consortium. The Territory Team, Professional Advisors, Working Group and SFT undertook a review of the original PQQ submission to ensure that the revised team excluding Davis Langdon would still have qualified to Participate in Dialogue and submit a Final Tender. This review concluded that the revised structure was acceptable and would have passed the PQQ assessment. The Territory Programme Office confirmed to the Territory Programme Board on 26/6/12 that Alliance Community Partnerships had passed the PQQ assessment and concluded that Alliance Community partnerships would be able to submit a compliant Tender.
- 4.5 Final Tenders were submitted by Wellspring Miller Sweett Partnership and Alliance Community Partnerships on 19<sup>th</sup> June 2012.

## **5.0 Evaluation of Final Tenders**

- 5.1 The tender submissions were evaluated to determine the most economically advantageous tender. The weighting applied to the Price Evaluation was 40% and the weighting applied to the Non Price evaluation was 60%. The Price and Non-Price elements were evaluated and scored in line with the following evaluation criteria:-

### **Price (Weighting 40%)**

The Price Evaluation was sub-divided into 2 sections and weightings comprising a qualitative section and a quantitative section, these were weighted 20% and 20% respectively.

The Qualitative Price Evaluation Criteria Section and Weightings was further subdivided into 3 sub-criteria with their own weightings and these focused on the quality and robustness of the Tenderer's approach to:-

- Developing cost and delivering value for money on New Projects (50%);
- proposals for financial aspects of DBFM (25%), and
- the financial management of hubco including the raising of finance for working capital (25%)

The Quantitative Price Evaluation Section and Weightings was further sub-divided into 4 sub-criteria with their own weightings and focused on the information and costs submitted in the 13 pro formas completed by the bidders for:-

- prime costs (25%);
- non-prime construction costs (25%);
- DBFM costs (25%), and
- 5-year hubco costs (25%)

### **Non-Price Evaluation (Weighting 60%)**

The non-price evaluation was sub-divided into 3 sections and weightings and focused on particular aspects of the quality of the Tenderers submission. The evaluation criteria sections had a number of evaluation sub-criteria and weightings which were detailed in the ITPD and were unchanged in the Invitation to Submit Final Tender and they are:-

- (i) Approach to establishing and operating hubco (10%)
  - Strategy governance and management of hubco (60%)
  - Management systems for hubco (40%)
- (ii) Approach to Partnering (40%)
  - Ongoing Partnering service (20%)
  - Engage supply chain to provide Partnering services (25%)
  - New Project Approval /delivery (20%)
  - Supply chain appointment (15%)
  - Sustainability (5%)
  - Whole Life Costs (10%)
  - Strategic Service provision (5%)
- (iii) KPIs and Continuous Improvement (10%)
  - Measure Performance & review contractual compliance (35%)
  - Continuous Improvement - Project Development (30%)
  - Continuous Improvement Ongoing Partnering (35%)

5.3 The evaluation team concluded that **Alliance Community Partnerships (ACP)** should be recommended to the Territory Programme Board for acceptance as preferred bidder, highlighting that :

1. The ACP offer is built upon a partnership and collaboration with the Participants including early engagement and liaison to meet Participant needs and identify objectives.

2. ACP have proposed a clear management structure for hubco and given commitment on providing adequate early resource to progress delivery of the both the territory project pipeline and financial/contract close.
3. ACP have committed to provide opportunities for local suppliers, contractors and consultants including training and mentoring to assist companies in prequalifying to be part of the SW hubco supply chain.
4. ACP have committed to delivering local employment opportunities by way of apprenticeships and trainees relating to investment value which exceed targets set by Construction Skills Scotland.
5. The ACP bid was lowest in terms of submitted prime costs but slightly more expensive with respect to non-prime costs. A detailed review carried out by Technical Advisors, Turner & Townsend concluded that the rates for both bids were competitive in this respect.

DBFM and hubco set up costs submitted by ACP were assessed by the Territory's Financial Advisors, Ernst & Young, who confirmed the bid was competitive.

The Territory Programme Board agreed that Alliance Community Partnerships be named as Preferred Bidder on 3<sup>rd</sup> August 2012 and subsequently the National Programme Board on 6<sup>th</sup> August approved **Alliance Community Partnerships** as Preferred Bidder. Contract completion is scheduled to take place on 18<sup>th</sup> October 2012 when a delegated representative of each Participant and the PSDP will sign the Territory Partnering Agreement, Shareholders Agreement (where applicable) and Participants Agreement to form SWhubco.



### Corporate Governance

In terms of Corporate Governance of the hubco, the SWhub Territory Programme Board have agreed the following:

- a detailed proposal for establishment of the Territory Partnering Board
- the resources and organisation structure required to manage the Client organisation for hubco including the management and capacity support resources required by the public sector to interface with hubco
- the arrangements for ensuring the accountability and probity of hubco to the Territory Partnering Board.
- Appointment of a Territory Director to the SWhubco Board who will act in the best interests of hubco
- Appointment of a B Shareholders' Representative to represent the local public sector participant's interests as shareholders.

### Territory Partnering Board

Pursuant to clause 14 of the Territory Partnering Agreement ("TPA") a Territory Partnering Board ("TPB") will be established to provide strategic input into the long-term running of the hub project. In particular, the TPB will meet regularly (at least once every three months) to review performance and financial aspects, to approve each new edition of the Territory Delivery Plan (TDP) (annually), to give guidance and approval in respect of new project proposals, and to generally manage the provision of Partnering Services by hubco to the Participants. Unless a project is a "Qualifying Project" and therefore subject to exclusivity a new project will not be included within the TDP without the express written consent of the Participant whose project it is.

Each Participant is required to appoint a Participant's Representative on to the TPB who should be appropriately empowered to agree matters on behalf of the particular Participant. In addition, each Participant's Representative will act as the effective point of contact between hubco and the particular Participant.

In addition to the Participant's Representatives, the TPB will include a member appointed by the Board of hubco and may also include representatives of other stakeholders (however Stakeholder voters will be non-voting).

Decisions of the TPB will be taken by majority vote subject to an affected Participant not being bound by a majority decision that its own Representative has not supported by voting in favour.

A non-executive, non-voting, chairman will be appointed on an annual basis from amongst the Participants Representatives and the intention is that the Chairman will rotate annually among the different Participants Representatives.

## Hubco Board

Hubco will be a private limited company governed by the Companies Act 2006. The shares will be allocated 60% to the private sector partner, 30% to the Participants and 10% to Scottish Futures Trust.

The Board of Directors will be made up of three directors appointed by **Alliance Community Partnerships** one director appointed by Scottish Futures Trust and one director appointed by the local public sector investors (as a group). Each director will have one vote and except in respect of shareholder consent matters, decisions will be made by majority vote. Additionally, the directors will be required to appoint an independent, non-voting chair.

A number of matters are reserved for shareholder consent including revision to the hubco business plan, restructuring of hubco's debt and tendering for any additional business outside the scope of the Territory Delivery Plan. The matters reserved for shareholder consent require a majority of each class of shareholder to vote in favour. i.e. the private sector shareholder(s), SFT and a majority of the local public sector shareholders must all vote in favour for any such resolution to be carried. The process for voting among B Shareholders (i.e. Participants) is set out in the Participants' Agreement.

The duties of a director within a private limited company are primarily to the company and to its members as a whole. The duties are derived from common law and statute.

The SHA provides for a Shareholders' Forum to be established (comprising all of the shareholders, plus the Chair of hubco), to meet twice a year. The role of the Shareholders' Forum will be to review:

- the effectiveness of hubco in fulfilling its objects
- the past & present business activities of hubco
- the performance by all parties of their obligations under the SHA and the TPA
- the hubco board's response to any queries previously raised.

The Shareholders' Forum does not have any power to issue directions or instructions to the board, but the board must "carefully consider the conclusions of the Shareholders' Forum in formulating their plans for the Company".



## **Territory Programme Team**

The key challenge for the Participants in a hubco environment remains that of client capacity building – ensuring that the right mix of skills and resources is available to translate the increased public investment into high quality service provision.

Due consideration therefore requires to be given to the resourcing of a client side organisation i.e. the Territory Programme Team (TPT) which will effectively manage the day-to-day performance of the hubco. In doing so, it is very important that the TPT does not duplicate the skills, expertise, knowledge and experience that the private sector partner brings to the venture, however it must have the appropriate skills and experience to manage the activities and outputs of hubco and provide assurance to the TPB that the strategic requirements of the TDP are being achieved.

Activities to be managed by the TPT on behalf of TPB and in the capacity as shareholder are set out as follows:

1. Transfer knowledge and current plan status of existing projects and ensure new 'ways of working' are established with no risk to existing project momentum.
2. Provide assurance to the TPB that all strategic partnering costs and Stage 1 & 2 business cases for new projects are robust and demonstrate vfm.
3. Coordinate legal review of all schemes prior to financial close.
4. Provide assurance to the TPB that all programme/project plans proposed by hubco are robust, realistic, appropriately resourced with risks clearly identified and plans in place to mitigate such risks.
5. Conduct regular reviews of the Territory Delivery Plan, the five local delivery plans and project and partnering services to assure performance and identify recovery actions where appropriate
6. Conduct regular programme, project and partnering service reviews to assure performance and identify recovery actions where appropriate.
7. Manage continuous improvement and contractual KPIs with hubco to ensure that obligations are being met.
8. Manage overall relationship and provide regular updates to TPB and hubco public sector Director and the B Shareholder representative. In recommending a preferred solution an overarching objective will be to provide a long term sustainable organisation which can operate effectively without reliance on external consultants. However, both continuity from the existing programme structure, and knowledge transfer are key success factors and it is important to recognise the significance of this.

## (i) Summary of the Territory Partnering Agreement (“TPA”)

### 1 OVERVIEW

The TPA sets out the rights and obligations of the parties to the TPA. The heart of the TPA is the obligation upon hubco to provide the various types of services to the Participants (in some cases to individual or groups of Participants and in other cases collectively). The other key aspect at the heart of the TPA is the exclusivity provision, whereby, in certain defined circumstances, some of the Participants grant to hubco the exclusive right to bring forward proposals for projects. This is explained in more detail below. The TPA will be based on a standard form TPA used in each of the hub territories in Scotland, which has been drafted on the basis of the NHS LIFT Strategic Partnering Agreement, which is well used in England & Wales. There will be scope for limited amendments to the standard form TPA by **Alliance Community Partnerships** but only in so far as these amendments were highlighted on their bidder specific amendment schedule, which was issued prior with the Invitation to Submit Final Tenders (“ITSFT”).

### 2 PARTIES

It is anticipated that the following will be parties to the TPA: NHS Dumfries & Galloway, NHS Lanarkshire, NHS Ayrshire and Arran, North Ayrshire Council, South Ayrshire Council, East Ayrshire Council, Strathclyde Police and Ambulance Service, Dumfries & Galloway Police and Ambulance Service, NHS National Services Scotland, Scottish Courts Service, South and North Lanarkshire Councils, Loreburn Housing Association, Irvine Development Association and the NHS National State Hospital (together referred to as “**the Participants**”); and Hubco. For the avoidance of doubt, Scottish Futures Trust will not be a party to the TPA.

### 3 TERM

The TPA has a term of 20 years with the option to extend it by a further 5 years where agreed between hubco and one or more Participants (in which case only those Participants in agreement to the 5 year extension would remain party to the TPA).

### 4 EXCLUSIVITY

For the first ten years of the term of the TPA, hubco is to perform the On-Going Partnering Services and the Participants are required to give hubco the first opportunity to bring forward proposals<sup>1</sup> for Qualifying Projects. However, one or more Participants can suspend exclusivity where hubco’s performance is poor (based on an annual review against key performance indicators). And further, exclusivity is subject to any variation required or recommended by applicable competition and/or procurement laws.

<sup>1</sup> Subject to the terms of the TPA, essentially where the proposals do not meet the Participants requirements, there is no requirement for a Participant to go any further with hubco and that Participants can procure the project elsewhere.

Clearly therefore the definition of “Qualifying Projects” will be of particular relevance to the Participants and this is summarised in Annex A hereto.

## **5 SERVICES**

The various services, which shall or may be provided by hubco pursuant to the TPA, are set out below:

### **5.1 Ongoing Partnering Services**

Hubco has the exclusive right to provide Ongoing Partnering Services for the first 10 years of the term of the TPA<sup>2</sup>. These services include supporting participants to develop the Territory Delivery Plan, to establish and develop the Territory Partnering Board, ‘Supply Chain Management’ to establish, manage and refresh a supply chain that can deliver across the entire territory and demonstrate continuous improvement; and demonstrate the provision of ‘Value for Money’ to the Participants during the term of the TPA.

### **5.2 Project Development Partnering Services**

The Project Development Partnering Services could be described as the core services to be performed by hubco under the TPA. In respect of Qualifying Projects, hubco has the exclusive right for 10 years to perform these services and, subject to the terms of the TPA, to be paid for these services.<sup>3</sup> These services are linked to the approval process for new projects and form the core part of that approval process. Essentially hubco submits information in two stages: (i) firstly by submitting the stage 1 submission (an information gathering exercise about the project, anticipated price and design proposals to stage C RIBA) to seek a “stage 1 approval” from the relevant Participant(s) who are procuring the project; and (ii) provided a stage 1 approval is obtained from the relevant Participant(s) a stage 2 submission. Payment for Project Development Partnering Services will be made in terms of Project Development Fees.

After a relevant stage 2 approval is granted, the relevant Participant(s) and hubco (or a wholly owned subhubco) will enter into the design and build development agreement or the design, build, finance and maintain agreement.

### **5.3 Project Services**

These cover the actual detailed design and construction of new projects and (where appropriate) the provision of FM services in respect of new projects. Whilst these are referred to under the TPA, the provision of these ‘services’ will be performed by hubco to the relevant Participants under the terms of either a design and build development agreement or a design build, finance and maintain agreement. There are pre-agreed template design and build and design, build, finance and maintain agreements

<sup>2</sup> Participants should bear in mind that payment for ongoing partnering services is essentially to cover hubco’s operating costs and these are recovered via Project Development Fees payable in respect of Qualifying Projects that become approved projects. Therefore while all Participants can benefit from the ongoing partnering services provided by hubco, Participants will not be obliged to make specific payments towards these.

<sup>3</sup> Participants to note that in certain circumstances hubco performs these services ‘at risk’ and the Participants do not become obliged to pay for those services.

appended to the TPA to be used subject to the completion of project specific information.

#### **5.4 Strategic Support Partnering Services**

Hubco may perform these services entirely at the option of any one or more Participants in return for payment at a pre-agreed rate. It is envisaged that Participants may wish to employ hubco to perform these services as a result of hubco's expertise. These 'pay-as-you-go' services include strategic estate planning and community service delivery planning whilst demonstrating value for money.

### **6 TRANSFER OF EMPLOYMENT**

It is not envisaged that there will be any transfer of employees from any of the Participants organisations to hubco. Given the services being performed by hubco cover all Participants in the SWhub territory, it is unlikely that any current employee of any Participant performs such a role.

### **7 SUSPENSION OF EXCLUSIVITY / TERMINATION**

The TPA provides a mechanism whereby if hubco is in default, one or more Participants can suspend their obligation to grant exclusivity to hubco. In addition, where any such default is not capable of being remedied or is not remedied in accordance with the timescales and provisions of the TPA, the TPA can be terminated by the Participants 'acting together'. The separate Participant's Agreement will cover the concept of 'acting together' in more detail.

If one or more of the Participants is in default under the TPA, hubco can suspend the performance of the services, require that Participant to remedy the default or as a last result, can terminate the TPA.

This is a summary of the main provisions of the TPA. Where specific guidance is required the full terms of the TPA should be referred to.

## Annex A – Exclusivity

Exclusivity under the TPA	
General	<p><b>Hubco shall have the sole and exclusive right and obligation:</b></p> <ul style="list-style-type: none"> <li>• <b>for a period of 10 years from the Commencement Date of the TPA to provide:</b> <ul style="list-style-type: none"> <li>(i) all of the On-going Partnering Services; and</li> <li>(ii) the Project Development Partnering Services in respect of Qualifying Projects only</li> </ul> </li> </ul> <p>and</p> <ul style="list-style-type: none"> <li>• for a period of 10 years from the Commencement Date of the TPA to provide the Project Services in respect of Qualifying Projects <i>that become Approved Projects</i> to each of the Participants.</li> </ul> <p>The Participants may (but need not) request hubco to provide other services:</p> <ul style="list-style-type: none"> <li>• Project Development Partnering Services in respect of projects that are not Qualifying Projects;</li> <li>• Strategic Support Partnering Services.</li> </ul>

Hub Territory Participant	“Qualifying Projects”
Health Board Participants	<ul style="list-style-type: none"> <li>• All new build facilities having a capital value in excess of £3.5 million (indexed linked) to November 2011 prices (“Major Capital Projects”) – <ul style="list-style-type: none"> <li>○ Which are identified by a Health Board as being required to enable them to provide primary and community based health services in the Territory; and</li> <li>○ Where procurement to commence within 10 years of the Commencement Date of the TPA.</li> </ul> </li> </ul> <p>The Health Boards will also have the <b>option</b> to request hubco to procure other projects not included above.</p>

Local Authorities (including Police, Ambulance, Fire & Rescue)	<ul style="list-style-type: none"> <li>• “Identified Projects” - which are included in the Territory Delivery Plan, currently envisaged to include:</li> <li>• Local Authorities will also have to <b>option</b> to request hubco to procure other projects not included above.</li> <li>• The Territory Delivery Plan is to be updated by hubco on an annual basis however no project will form part of the TDP without the express authority of the relevant Participant(s).</li> </ul>
Projects Procured jointly by Health Boards and Local Authorities (including Police, Ambulance and Fire and Rescue Authorities)	<ul style="list-style-type: none"> <li>• Identified Projects;</li> <li>• All projects for new build facilities procured jointly by a Health Board and a Local Authority which: <ul style="list-style-type: none"> <li>○ Have a total capital value in excess of £3.5 million (index Linked) to November 2011 prices; and</li> <li>○ In respect of that part of the facilities being procured for a Health Board have been: <ul style="list-style-type: none"> <li>▪ (i) Identified by a Health Board as being required to enable them to provide primary and community based health services in the Territory; and</li> <li>▪ (ii) Where procurement to commence within 10 years of the Commencement Date of the TPA; and</li> </ul> </li> <li>○ and for which the Health Board is leading the procurement.</li> </ul> </li> <li>• Health Boards and Local Authorities will also have the <b>option</b> in joint projects to request hubco to procure other projects not included in the list of Identified Project or to which exclusivity would not otherwise apply.</li> </ul>
All Participants	<ul style="list-style-type: none"> <li>• Facilities Management services in relation to facilities not forming part of a hub Major Capital Project at the <b>option</b> of the Participants.</li> </ul>

## (ii) Summary of Shareholders Agreement (“SHA”),

### 8 OVERVIEW

The SHA sets out the rights and obligations of the parties to the SHA, namely, the shareholders of hubco, NHS Dumfries & Galloway, NHS Lanarkshire, NHS Ayrshire and Arran, Dumfries and Galloway Council, North Ayrshire Council, South Ayrshire Council, East Ayrshire Council, South Lanarkshire Council and North Lanarkshire Council, Strathclyde Joint Police Board, Strathclyde Fire and Rescue, Dumfries & Galloway Constabulary, Dumfries and Galloway Fire and Rescue, Scottish Ambulance Service, NHS National Services Scotland, Scottish Court Service, , Loreburn Housing Association and other Registered Social Landlords, Irvine Bay Regeneration Company

and other urban regeneration companies and the NHS State Hospitals Board for Scotland (together referred to as “**the Participants**”); the Scottish Futures Trust (“SFT”), the private sector delivery partner (“PSDP”) and hubco.

The SHA shall continue in force until the earliest of the following:

- a resolution is passed for the winding-up of hubco
- one shareholder becomes the owner of the whole issued share capital of the company
- the date on which the shareholders agree to terminate the SHA.

## **9 PLACING OF CORPORATE STRUCTURE WITHIN THE OVERALL LEGAL FRAMEWORK**

An individual Participant interacts within the overall legal framework in a number of ways: very broadly:

- concerns in relation to value for money are addressed via the provisions within the Territory Partnering Agreement (“TPA”)
- concerns in relation to overall performance of hubco can be tackled through mechanisms in the TPA
- concerns in relation to the acceptability of hubco’s proposals for a given project can be pursued via the staged approval processes set by the TPA
- concerns in relation to the delivery of a particular project which is under way with that Participant can be dealt with via the mechanisms built into the D&B (or DBFM) contract for that project.

The corporate structure supplements, but does not displace, these other checks and balances. The corporate structure is not intended to allow an *individual* Participant to put a spoke in the wheel in relation to hubco’s delivery of a given project, nor in relation to the ordinary conduct of hubco’s business. Having said that, the checks and balances within the corporate structure provide significant protection - over and above what is provided by the TPA - for the *collective interests* of the Participants

## **10 KEY FEATURES OF THE CORPORATE STRUCTURE**

### **10.1 Shareholder level**

There are *three* levels of involvement for Participants in the corporate structure of hubco:

- as a shareholder
- as a participant in appointing one director to the board
- as a provider of shareholder loan funding

Also relevant is the tracing of input/controls to sub-hubcos and the Shareholders’ Forum.

To facilitate the differing rights etc applying to the Scottish Futures Trust (“SFT”), the Participants, and the private sector delivery partner (“PSDP”) respectively, the shares are labelled “A”, “B” and “C”; and similarly for the directors – this does not represent any sort of priority ranking.

The involvement of a Participant as shareholder in hubco provides the following:

- a financial return in the form of dividends
- input into decisions which require, under *company law*, to be taken by shareholders rather than directors
- input into decisions which require, under the *SHA*, to be taken by shareholders (or, in certain cases, B Shareholders only)
- the possibility (at least in theory) of realising capital value from its shares, through a fairly complex sale procedure
- the possibility (at least in theory) of increasing its shareholding (and thus financial returns) on future issues of shares, or on exit of another Participant, SFT or the PSDP, through fairly complex offer-round/pre-emption provisions

Other points to note in relation to the Participant’s shareholding are as follows:

- the subscription price for B Shares is expected to be nominal
- participation in dividends provides some alignment with the interests of the PSDP, but only up to a point (30% allocated to the B Shareholders in aggregate - but for an *individual* B Shareholder, the sum involved will be a small fraction of the 60% allocated to the PSDP)
- the percentage split (60:30:10) is not greatly relevant to the B Shareholders as regards decision-making; the key principle is that various decisions require the consent of (or need to be made by) the *holders of a majority of the B Shares*

In basic terms, the holders of a majority of the B Shares have a *veto* in relation to certain matters set under company law and the provisions of the *SHA*. In addition, the approval of the holders of a majority of the B Shares is needed in relation to the annual business plan; and the holders of a majority of the B Shares (along with majority of A Shares) can activate certain procedures (e.g. a notice requiring the C Shareholder to remedy a breach of its obligations under the *SHA*).

The obligation under *company law* to take decisions in a way that promotes the success of the company does *not* apply to decisions taken by shareholders, although there is an equivalent obligation on shareholders under the *SHA*.

## 10.2 Board composition

The composition of the board is as follows:

- 1 A Director (appointed by SFT)
- 1 B Director (appointed by the B Shareholders)
- 3 C Directors (appointed by the PSDP)
- 1 (non-voting) Independent Director (appointed by holders of majority of A, B, C Shares)



A key principle of the legal structure is that the private sector is *intended* to have majority control at board level, reflecting the skills/experience of the PSDP as tested through the procurement process.

In basic terms, the C Directors can outvote the others; however, it should be noted that there is a statutory duty on every director to exercise independent judgement and to take decisions in a way which he/she considers, in good faith, would be most likely to promote the success of the company for the benefit of its shareholders as a whole.

In addition, the SHA contains a list of reserved matters entitling the holders of a majority of the B Shares (the Participants) to veto certain steps. Furthermore, the SHA provisions round the shareholder approval of each annual business plan enables the holders of a majority of B Shares to withhold approval of the business plan.

Also, the conflict of interest provisions preclude the C Directors from voting in certain circumstances.

### **10.3 Conflict of interest provisions**

The conflict of interest provisions can, broadly, be summarised as follows:

- the C Directors cannot vote in relation to any dispute/claim between hubco and the PSDP (or any Associate of the PSDP or shareholder of the PSDP or Associate of such shareholder); a similar position applies in relation to the A Directors and the B Directors.
- all directors must declare conflicts of interest, but (subject to the above) can vote notwithstanding a conflict where that relates to a shareholder (or an Associate of a shareholder) of hubco
- Participants need to acknowledge the statutory duties of the B Director in relation to promoting the interests of hubco.

Given the requirements of the last bullet above, the principal means of the Participants exercising control of hubco is by means of the reserved matters and through shareholder approval of the annual business plan.

### **10.4 Financial aspects**

At a practical level, a significant part of the financial returns for Participants (and for SFT and the PSDP) will come in the form of interest on shareholder loans. The SHA currently sets a very broad framework for shareholder loans (defined as “Shareholder Debt”) which will be refined to reflect the successful bidder’s proposals.

Any requirement for capital (beyond what can be sourced through bank loans) is very likely to be met via shareholder loans rather than issue of additional shares. Shareholder loans will be postponed to the bank loans; hence they carry higher risk and consequently, a higher rate of interest.

The amount of funding to be sourced by means of shareholder loans will be set in the Stage 2 Submission. There is a power for a majority of the B Shareholders to veto. As part of this process, every B Shareholder will have the opportunity, but no obligation, to commit to provide a proportion of shareholder loans (in line with its percentage shareholding). Once that commitment is made (and written agreement must be annexed to the Stage 2 Submission), the B Shareholder will be obliged to follow through with

provision of funds at the appropriate time. The shareholder loans are stapled to shareholdings except in limited circumstances.

#### **10.5 Share issue and transfer provisions**

The SHA contains detailed provisions for the issue of new shares and the transfer of shares by the initial shareholders and includes a lock-in period whereby the PSDP agrees not to transfer its shares for a minimum period of 5 years from the commencement date of the SHA.

#### **10.6 Sub-hubcos**

The SHA envisages that all sub-hubcos will be wholly-owned by hubco. The SHA contains a set of draft articles of association to be adopted by all sub-hubcos. Those articles stipulate that the composition of the sub-hubco board will correspond with that of the hubco board; the contribution of shareholder loans to sub-hubcos will be governed by the same provisions as relate to shareholder loans to hubco; and the list of reserved matters includes various steps applying to sub-hubcos.

#### **10.7 Shareholders' Forum**

The SHA provides for a Shareholders' Forum to be established (comprising *all* of the shareholders, plus the Chair of hubco), to meet twice a year. The role of the Shareholders' Forum will be to review:

- the effectiveness of hubco in fulfilling its objects
- the past and present business activities of hubco
- the performance by all parties of their obligations under the SHA and the TPA
- the hubco board's response to any queries previously raised

The Shareholders' Forum does *not* have any power to issue directions or instructions to the board, but the board must "carefully consider the conclusions of the Shareholders' Forum in formulating their plans for the Company".

This is a summary of the key provisions of the SHA. Where specific guidance is required, the full terms of the SHA should be referred to.

#### **(iii) Summary of Participants Agreement**

### **11 PARTIES**

11.1 All bodies who are parties to the TPA in the capacity of Participants; and excluding, for the avoidance of doubt, hubco, SFT and the PDSP.

## **12 PREAMBLE**

### **12.1 Narrating that**

12.1.1 the parties are entering into the TPA and certain of them are to subscribe for shares in hubco;

12.1.2 the parties wish to record the arrangements which are to apply among them in relation to joint decision-making in the context of the TPA and SHA, and other matters associated with their involvement in the SWhub Territory.

## **13 DEFINITIONS**

13.1 "Participants" - all those falling within that definition under the TPA from time to time

13.2 "B Shareholders" - all those holding B Shares in hubco from time to time

13.3 "B Shareholders Representative" - the individual holding that appointment from time to time under the provisions outlined in paragraph 14.414 below.

13.4 "hubco", "sub-hubco", "TPA", "SHA", "B Share", "TUPE Regulations" etc

## **14 B SHAREHOLDERS REPRESENTATIVE - APPOINTMENT & REMOVAL**

14.1 B Shareholders to elect an individual as the B Shareholders Representative, with authority to sign any consent, approval, notice etc which - in terms of the SHA - requires the holders of a majority of the B Shares.

14.2 Election process - invitation to submit candidates, followed by email voting; candidate with largest number of votes becomes the B Shareholders Representative.

14.3 B Shareholders Representative can resign his/her appointment at any time.

14.4 B Shareholders can remove the B Shareholders Representative from office at any time, if 75% or more of the B Shareholders vote in favour of removal.

14.5 B Shareholders Representative to retire every three years, but on the basis that he/she can be re-elected.

14.6 B Shareholders Representative must not be the same person as the B Director.

14.7 Identity of the B Shareholders Representative from time to time to be notified formally to the A Shareholder, the C Shareholder, hubco and each sub-hubco under the SHA; the B Shareholders must sign the relevant notices accordingly.

14.8 A substitute for the B Shareholders Representative will also be appointed (for holiday/sickness cover); the above provisions will apply in relation to the election, removal etc of the substitute.

## **15 VOTING ARRANGEMENTS AMONG THE B SHAREHOLDERS**

15.1 Whenever a matter requires - in terms of the SHA - a consent/approval/notice by the holders of a majority of the B Shares, the following steps will be taken:

15.1.1 B Shareholders Representative to prepare a short paper setting out the background and the matter on which a decision from the B Shareholders is needed

15.1.2 B Shareholder Representative to email the paper, plus any relevant papers received from the hubco board, to all the B Shareholders

15.1.3 any B Shareholder may, within 7 days of the email, request further information/clarification

15.1.4 B Shareholders Representative to endeavour to address any such request, and to circulate additional information/clarification among the B Shareholders within a further 7 days

15.1.5 any B Shareholder may, within 14 days of the original email, request that a meeting of the B Shareholders be held, to allow a live discussion of the points at issue; any such meeting will be held (with participation by video/telephone conference facilities as required) within a further 7 days

15.1.6 within 14 days after the original email - or 21 days if a meeting is held - B Shareholders Representative to circulate an email request for B Shareholders to cast their votes

15.1.7 at the end of 7 days from that email request (or earlier if all votes have been received), B Shareholder Representative to count the votes; and (a) sign the relevant consent/approval/notice (or - if a majority in favour was not achieved - notify the A Shareholder, the C Shareholder and the hubco board accordingly) and (b) notify all B Shareholders of the outcome of the vote.

*[Note: above timetable involves max 28 days for final outcome (signing of formal consent etc), running from date on which B Shareholder Representative first emails the B Shareholders]*

15.2 Each of the B Shareholders must supply the B Shareholders Representative with two email addresses (to allow for holiday/sickness absences) for the purposes of email communications under paragraph 5.1 above.

15.3 For the avoidance of doubt,

15.3.1 the B Shareholders Representative will be entitled to proceed on the basis of a majority of the votes received prior to the deadline under paragraph 15.1.7, even if not all B Shareholders have voted

15.3.2 the first vote to come in from either of the two email addresses supplied by each B Shareholder will be counted

- 15.3.3 each of the B Shareholders agrees that the arrangements set out above prevail over the terms of the SHA.
- 15.4 Where the B Shareholders Representative is unavailable (holiday/sickness), the steps outlined in paragraph 5.1 will be taken by the substitute appointed under paragraph 114.8.
- 15.5 A comprehensive list of the matters where a decision by the holders of a majority of the B Shares is required under the SHA to be set out, for ease of reference, in the Schedule to the Agreement.

## **16 MATTERS REQUIRING UNANIMOUS DECISION OF B SHAREHOLDERS**

- 16.1 Whenever a matter requires - in terms of the SHA - a consent/approval/notice by all of the B Shareholders, any one B Shareholder will be entitled to request the B Shareholders Representative:
- 16.1.1 to prepare a short paper setting out the background and the matter on which a decision from the B Shareholders is needed, and thereafter to email the paper, plus any relevant papers received from the hubco board, to all the B Shareholders
- 16.1.2 to endeavour to address any request from a B Shareholder for further information/clarification, and on the basis that any such additional information/clarification must then be circulated among the B Shareholders
- 16.1.3 to convene a meeting of the B Shareholders, to allow a live discussion of the points at issue (with participation by video/telephone conference facilities as required).
- 16.2 A comprehensive list of the matters where a unanimous decision by the B Shareholders is required under the SHA to be set out, for ease of reference, in the Schedule to the Agreement.

## **17 B DIRECTOR - APPOINTMENT & REMOVAL**

- 17.1 B Shareholders to elect an individual as the B Director, to serve on the hubco board.
- 17.2 Election process - invitation to submit candidates, followed by email voting; candidate with largest number of votes becomes the B Director (formally appointed by notice signed by the B Shareholders Representative).
- 17.3 B Director is required to sign the acknowledgement letter (confirming that he/she understands his/her duties as a director e.g. the duty to take decisions in such a manner as he/she considers will best promote the interests of hubco) prescribed by the SHA.
- 17.4 For the avoidance of doubt, the B Director is required under company law to exercise independent judgement; the B Shareholders cannot instruct the B Director on how to exercise his/her vote as a director on any issue which is to be considered by the board of hubco.

- 17.5 B Director can resign his/her appointment at any time.
- 17.6 B Shareholders can remove the B Director from office at any time, if 75% or more of the B Shareholders vote in favour of removal; the formal process will involve a similar series of steps as are outlined in paragraph 115.1, and with the notice of removal being signed by the B Shareholders Representative.
- 17.7 B Director to retire every three years, but on the basis that he/she can be re-elected.
- 17.8 A alternate director (substitute) for the B Director will also be appointed (to attend board meetings of hubco which the B Director himself/herself cannot attend due to holidays, sickness etc; the above provisions will apply in relation to the election, removal etc of the alternate director.
- 17.9 If directors' fees are payable in respect of the B Director, these will be paid to the Participant (or offshoot/associated body) from which the B Director is drawn; or, if the B Director is not drawn from a Participant (or offshoot/associated body), will be payable to the B Director himself/herself.

## **18 STAGE 2 SUBMISSIONS**

- 18.1 Where, in relation to a stage 2 submission by hubco to the lead Participant being a matter which requires the consent of the majority of the B Shareholders, the B Director has confirmed he is satisfied the submission should be made, hubco has provided to the B Shareholder Representative evidence of compliance by hubco with the requirements in relation to any shareholder debt required to be provided and no notice to the contrary has been served on the B Shareholder Representative by the holders of a majority of the B shares, the holders of a majority of the B Shares shall be deemed to have given written consent to such stage 2 submission.

## **19 ACCESS TO INFORMATION**

- 19.1 The B Shareholders acknowledge that the SHA makes provision for the B Director to disclose information to the B Shareholders, subject to the obligations of confidentiality.

## **20 ABILITY TO MAKE REPRESENTATIONS To hubco BOARD**

- 20.1 The B Shareholders acknowledge that they shall be entitled to participate in the Shareholders' Forum and shall be entitled to make representations to the hubco board via the Shareholders' Forum.

## **21 ADMISSION OF A PARTICIPANT AS A SHAREHOLDER (POST-COMPLETION)**

- 21.1 If at some future date the a Participant wishes to be admitted as a B Shareholder, the B Shareholders will negotiate in good faith the terms on which that Participant would acquire B Shares in hubco; and, if 75% or more of the B Shareholders approve admission on those terms, all B Shareholders will be obliged to sign all such documentation and take all such other steps as may be appropriate to secure the admission of that Participant as a B Shareholder.

## **21 LEAD PARTICIPANT REPRESENTATIVE – APPOINTMENT & REMOVAL**

The Agreement provides for the appointment of a Lead Participant Representative which follows a similar process to that outlined in paragraph 14.

## **22 JOINT DECISIONS BY THE PARTICIPANTS UNDER THE TPA**

- 22.1 Whenever any matter arising under the TPA requires a decision of a majority of the Participants the Agreement details the steps to be taken by the Lead Participant Representative to obtain that decision. This follows a similar process to that described in paragraph 15.

## **23 CHANGES IN IDENTITY OF PARTICIPANTS/ B SHAREHOLDERS**

- 23.1 Where a party ceases to be a Participant, or ceases to be a B Shareholder (or both), the relevant definition(s) will no longer include that party

### **(iv) Pricing and Value for Money**

The purpose of this note is to provide a summary of the mechanisms for pricing and demonstrating value for money on new projects that are procured through hub.

#### **Overview**

- Tenderers have been asked to submit, as part of their final tenders, schedules detailing certain prime and non-prime costs<sup>4</sup>. The costs proposed by the successful tenderer will form a pricing schedule that sits within the Territory Partnering Agreement.

<sup>4</sup> Prime costs are based on bills of quantities (and drawings and specifications) from four historic projects (one health centre, community centre, one primary school and one secondary school). The non-prime costs (preliminaries, profit, survey/design fees, hubco portion, management fees and general overheads and profit) are based on nine projects which are representative of the broad pipeline, for each of which tenderers have been provided with basic construction cost, construction programme, site information, floor area and a general description on use.

- For a new project, the parties will first select a “Comparator” project from the pricing schedule for the purposes of the Project Development Fee. During the approval process the parties will be agreeing a "Comparator" project from the pricing schedule for the other elements of the new project. Different projects from the pricing schedule could be used as Comparators for different elements of a new project and it may be that no Comparators exist for certain elements.
- The Comparator figures will be adjusted as appropriate to reflect the specifics of the new project in question (e.g. for inflation, scale, complexity, programme and location). The principles behind such adjustments are set out in the Territory Partnering Agreement and will be supplemented by method statements to be provided by the tenderers.
- The adjusted Comparator figures will set pricing caps for the relevant elements of the new project.
- The prices that hubco submits for a new project will be compared against the adjusted Comparators and (even for elements for which a Comparator exists and a cap applies) other available benchmarking information.
- hubco must always operate open book pricing. In addition, the parties may agree (and in any case procuring authority has an overriding right to require) that hubco (or one of its sub-contractors) should carry out competitive tendering within its supply chain and/or market testing. Competitive tendering or market testing can be applied to individual elements of a new project or to a new project in its entirety.
- Tenderers will be asked to submit, as part of their final tenders, method statements detailing their proposed approach to ongoing supply chain management and supply chain selection on individual new projects.
- Pricing is, of course, only one aspect of the value for money assessment that a procuring authority will undertake for a new project. Tenderers have been asked to submit, as part of their final tenders, method statements detailing their approach to demonstrating overall value for money.

## **Contractual Process for Pricing/VFM**

The pricing and value for money of hubco’s proposals for New Projects is tested through the two-stage New Project Approval Process.

### ***Prior to Stage 1***

- The parties will agree the Comparator (and appropriate adjustments) for the Project Development Fee (i.e. hubco’s total fee (costs plus any margin or return) for taking a project through the New Project Approval Process). This will determine the Project Development Fee Cap for each stage and the whole approval process and the Project Development Fee that hubco proposes within its Stage 1 Submission for each stage and for the whole approval process cannot exceed these caps.



### ***Stage 1 (RIBA Stage C)***

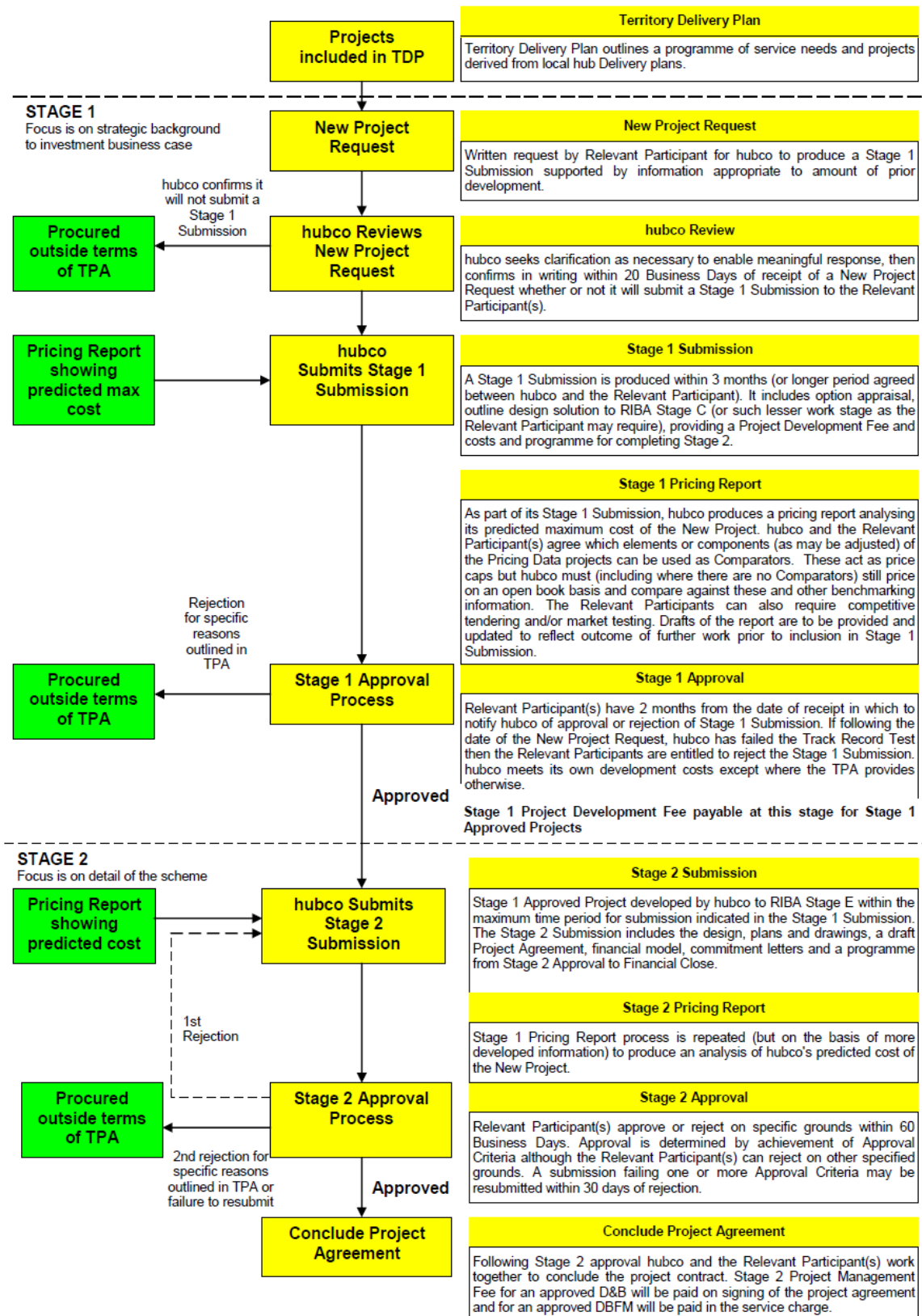
- Within 4 weeks of a New Project Request (which triggers Stage 1 of the approval process) the parties agree the Comparators (and appropriate adjustments) for the individual elements of the New Project. The adjusted Comparators become caps for the relevant elements.
  - In advance of the Stage 1 Submission, hubco must provide the authority with a draft Pricing Report analysing the proposed costs for the New Project against the adjusted Comparators and other benchmarking information from projects within and out with the Territory and within and out with the hub initiative.
  - The draft Pricing Report must be prepared on an open book basis. In addition, the authority can require (or hubco can suggest) competitive tendering within the supply chain and/or market testing. The rationale for sharing a draft Pricing Report in advance of the Stage 1 Submission is that it allows an early opportunity to factor a competitive tender/market test exercise in to the approval process.
  - Where a requirement for competitive tendering and/or market testing is identified after submission of a draft Pricing Report, hubco shall submit an updated draft reflecting the results of such exercise(s).
  - Where the parties have agreed a Comparator (and therefore a cap) for an element which is then required to be Market Tested, the cap(s) will be dis-applied and the parties will have to accept the results of the Market Testing.
  - The Project Development Fee Cap can be adjusted to take account of any Market Testing exercise that is required for elements for which Comparators exist (on the basis that it might be reasonable to assume that Market Testing will not be required for elements that have Comparators).
- The Stage 1 Submission must include a value for money assessment containing:
    - the Pricing Report;
    - an elemental cost plan; and
    - an indicative financial model or development amount analysis.

The value for money assessment must also explain how, in line with the relevant Method Statements, hubco's proposals demonstrate value for money and meet the relevant targets and commitments in the KPIs.

### ***Stage 2 (RIBA Stage E)***

- This is essentially a repeat of the Stage 1 process, albeit with more certainty on the detail of the new project.
- The parties re-agree the Comparators (and appropriate adjustments) (more accurate/detailed information about the project may point to different/additional Comparators being relevant).
- In advance of the Stage 2 Submission hubco must provide further draft Pricing Reports (and the same process applies as per Stage 1 in relation to open book pricing, competitive tendering and market testing).

- The Stage 2 Submission must include an updated value for money assessment.



---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 7**

**2 October 2012**

#### **Cabinet**

---

<b>Subject:</b>	<b>Fairer North Ayrshire Funding</b>
<b>Purpose:</b>	To advise the Cabinet of proposals for future Fairer North Ayrshire Funding
<b>Recommendation:</b>	That the Cabinet agrees to approve the proposals for future Fairer North Ayrshire Funding

---

#### **1. Introduction**

- 1.1 The Community Planning Partnership was allocated funding in 2008/09 by the Scottish Government from the Fairer Scotland fund. The purpose of the funding was to tackle poverty and deprivation across Scotland.
- 1.2 The fund was administered by the Community Planning Partnership and funded a variety of initiatives, led by appropriate community planning partners.

#### **2. Current Position**

- 2.1 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.
- 2.2 Elements of the funding were subsumed into the appropriate services of the Council. The funding for the Employability Programme was subsumed into the budget of the Economic Development Service. The funding for the Campus Police Officers was subsumed into the budget of Education and Skills.
- 2.3 The remaining funding was subsumed into the budget of the Chief Executive's Service. It has funded specific initiatives around early intervention and prevention. The initiatives are required at the outset to sign a monitoring agreement which details their planned outputs from the initiative. They are monitored on a quarterly basis by the Community Planning Team against the projected outputs and spend.

2.4 The current initiatives are:-

Initiative	Description	Lead
ABCD Early Years Project	Based in Ardrossan and Castlepark working with families on early intervention and prevention e.g. parenting skills, speech and language skills	NHS Ayrshire and Arran
B-Active	Activator, Community Outreach, Portable Pitch, Dance Programme, KA Walk, Big Days	KA Leisure
Fire Prevention	Fire education in schools, Firereach Course, Road Safety, Work Experience	Strathclyde Fire & Rescue
Additional Policing	4 additional Police Officers tasked by Multi-Agency Problem Solving Group	Strathclyde Police
CCTV	Contribution of funding for North Ayrshire CCTV Company for mobile and fixed CCTV	North Ayrshire CCTV Company
Evolution Skatepark	Staffing to supervise and organise activities at Skatepark	Evolution Skatepark

2.5 As part of our ongoing review of programmes and budgets each of the initiatives have been examined and revised proposals for future arrangements have been discussed.

### 3. Proposals

3.1 Meetings have been held with the Lead Officers for each initiative to examine possible efficiency savings in 2013/14.

- 3.2 The budgets have reduced year on year since 2010/11 and an indicative allocation for 2013/14 was provided to the Lead Officers at the commencement of each initiative as well as an expectation that each initiative would have an exit strategy.
- 3.3 The current funding in 2012/13 and proposed levels of funding for 2013/14 are as follows:-

<b>Initiative</b>	<b>2012/13 £</b>	<b>2013/14 £</b>
ABCD Project	149,000	80,000
B-Active	144,994	100,000
Fire Prevention	35,000	25,000
Additional Policing	127,600	115,000
CCTV	35,000	25,000
Evolution Skatepark	25,000	25,000

- 3.4 In addition it is proposed that the funding for B-Active be vired from the Chief Executive's budget to Education and Skills as the main allocation of funding for KA Leisure comes from the Education and Skills budget. The activities of KA Leisure and its Business Plan are also monitored by Education and Skills. Viring the funding for the B-Active Initiative to KA Leisure would allow KA Leisure to determine its priorities within its Business Plan regarding which elements of the B-Active initiative would continue. KA Leisure have indicated that they aim to make the Dance Programme, KA Walk and Big Days self funding. They would still require funding, however, to continue with the Activator at the same level, Portable Pitch and Community Outreach. It would also streamline the monitoring process rather than KA Leisure being monitored by two different services.
- 3.5 It is proposed 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.
- 3.6 With regard to the ABCD Project led by the NHS, the exit strategy has still to be finalised, but the core components are:-
- Mainstreaming (includes Community Groups) - transferring particular aspects of the project/and/or knowledge, lessons and best practice;
  - Further funding - identifying alternative sources of grant funding or loan finance to continue/complete agreed workstreams;
  - Enterprise route - developing an alternative business and/or operational model;
  - Project closure - winding down the project's activities as efficiently and effectively as possible in order not to impact on the project's staff and clients.

- 3.7 It is proposed that the funding from the Council to the NHS ceases from 2013/14 which will result in a saving of £80,000 in 2014/15.

#### **4. Implications**

##### Financial Implications

- 4.1 As detailed in the report.

##### Human Resource Implications

- 4.2 There are no implications.

##### Legal Implications

- 4.3 There are no implications.

##### Equality Implications

- 4.4 The reduction in funding for the Fire Prevention initiative may result in less pupils receiving fire education or ending the Firereach Course.

##### Environmental Implications

- 4.5 There are no implications.

##### Implications for Key Priorities

- 4.6 The proposals continue to support the CPP's priorities of Healthy and Active and Safe and Secure as well as early intervention and prevention.

##### Community Benefit Implications

- 4.7 There are no implications.

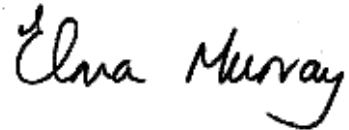
#### **5. Consultations**

- 5.1 Consultations have been held with the lead officers for each initiative who have been made aware of the proposals.

- 5.2 Consultations have been held with the Corporate Director (Education and Skills) on the virement proposal in relation to the B-Active budget and she is in agreement with the proposal. Consultations have also been held with Finance on the proposed efficiency savings and virement proposal.

**6. Conclusion**

- 6.1 The proposals put forward will make efficiency savings in the Council's budget whilst still sustaining initiatives around early intervention and prevention.

A handwritten signature in black ink, reading 'Elma Murray' in a cursive style.

ELMA MURRAY  
Chief Executive

**Reference :**

For further information please contact Sandra Bale, Policy and Performance Officer on telephone number 01294 324135

**Background Papers**

None





---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 8**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **Neighbourhood Planning Approach: Proposed Boundaries**

---

**Purpose:** To present proposals for new neighbourhood planning boundaries.

---

**Recommendation:** That the Cabinet approve Option 3 - to develop six 'neighbourhood boundaries' around the areas of Arran, Irvine, Kilwinning, Three Towns, Garnock Valley, North Coast & Cumbrae with West Kilbride.

---

#### **1. Introduction**

- 1.1 The Community Planning Board received and approved an update on the implementation of the Neighbourhood Planning Approach on 15 March 2012. This outlined a number of priority tasks, including the need to develop proposals and common boundaries to support the implementation of new neighbourhood planning areas in North Ayrshire.
- 1.2 This report presents 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 will provide the basic geography upon which more detailed needs analysis of neighbourhoods and localities will be conducted. Recommendations were made to the Community Planning Partnership Board (13/9/12) following a brief appraisal of the options presented.
- 1.3 The report makes recommendations on the basis of which option provides the most efficient geography for localised and targeted service delivery. 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 CPP resource re-alignment, developing co-location of services and other potential joint working arrangements across neighbourhoods.

## **2. Current Position**

- 2.1 The Community Planning Partnership held a workshop on 18 June which aimed to explore the application of a neighbourhood management approach to the deployment of public services and resources across North Ayrshire. The workshop was well attended and provided additional clarity to the overall aim by identifying the potential challenges and opportunities involved.
- 2.2 A number of key priorities were identified from the workshop which focused on strengthening joint working and optimising service delivery to achieve better outcomes for the partnership. Firstly, the necessity of mapping the existing resources of all partners at a neighbourhood level was highlighted as a key step in understanding what services can benefit from more integrated working.
- 2.3 Secondly, the need to move towards developing and agreeing a single set of agreed neighbourhood boundaries was also highlighted as critical to the success of the approach. This was underpinned by the view that the new neighbourhood approach will need to become the core service delivery framework supported by planned budgets.
- 2.4 A draft action plan from the Neighbourhood Planning workshop on the 18 June will feed into the overall Improvement Plan which will cover the issues highlighted across the development days. The action plan includes a key objective to agree an approach to define common management boundaries at neighbourhood level, bearing in mind that communities tend to self-define boundaries.
- 2.5 Section 3 below outlines the relative strengths and weaknesses of four separate configurations for intermediate area boundaries. Potential benefits and issues for delivering services across these areas are explored for each of the four proposals. Appendix 1 includes maps and summary bullet points of the relative strengths and weaknesses of each option.

### **3. Proposals**

#### **Option 1 - Balanced Populations / Existing Wards – (8 areas)**

*Irvine West / Irvine East / Kilwinning / Saltcoats & Stevenston / Ardrossan & Arran / West Kilbride & Dalry / Kilbirnie & Beith / North Coast & Cumbraes*

- 3.1 While not a critical factor this option offers the benefits of immediate political alignment with existing wards which are currently organised on the basis of population and established communities. The recent neighbourhood planning workshop highlighted the need for full political engagement with elected members when identifying priority areas.
- 3.2 A key weakness of this option is the lack of coherence in relation to the socio-economic characteristics of certain areas. For example, while the existing Ardrossan and Arran (Ward 5) area is physically separated, there is also little coherence in terms of the respective socio-economic characteristics of each area. Other issues may point to more physical disparities such as the weaker transport links between Dalry and West Kilbride and social aspects such as the less defined community links between the two settlements.

#### **Option 2 - Geographic Cluster / Spatial Interaction – (5 areas)**

*Arran / Irvine & Kilwinning / Three Towns & West Kilbride / Garnock Valley / North Coast & Cumbraes*

- 3.3 This option proposes five areas based around natural settlement clusters, commuting flows and transport links to maximise service responsiveness where possible. Spatial interaction models estimate the flow of people, materials or information between locations and settlements. Factors can include the number of commuters in residential areas, the 'pull' effect of retail and employment centres, and proximity relationships between villages and towns measured in terms such as driving distance or travel time.
- 3.4 North Ayrshire's unique topography of dominant coastal destinations, contrasted with high lying, low density hinterland, has in part shaped the dominant north-south road links (A78/A737/A736) with much weaker east-west connectivity (especially in the North Coast). Studies have shown that there can often be a conflicting relationship between distance and topology where, for example, two spatially close neighbourhoods (e.g. Kilwinning and Stevenston) may not display any significant interaction if they are separated by a highway - in this case the A78 bypass.

- 3.5 To ensure that re-aligned resources can maximise their responsiveness this option is based around travel times and connectivity patterns. Dalry for example displays more connectivity with the Garnock Valley than the coastal towns of Ardrossan or West Kilbride. Kilwinning has strong commuting patterns with neighbouring Irvine, while travel time between Ardrossan and West Kilbride is shorter than between Largs and West Kilbride.
- 3.6 Spatial analysis can provide a useful examination of settlement characteristics via topography, commuting patterns and transport links. However the model does not adequately illustrate or provide any interpretation of the wide socio-economic disparities across North Ayrshire communities.

**Option 3 - Socio-economic drivers (A) (6 areas)**

*Arran / Irvine / Kilwinning / Three Towns / Garnock Valley / North Coast & Cumbrae & West Kilbride*

- 3.7 This option links West Kilbride to the less deprived North Coast & Cumbraes area, re-unites Dalry with Kilbirnie and Beith, and re-establishes Ardrossan with Stevenston and Saltcoats. Irvine and Kilwinning are split in order to provide some clarity to the distribution of resources across these areas.
- 3.8 The settlements in all three have physical proximity, strong transport links and similar socio-economic characteristics which would enable area teams to correctly target resources to areas of most need. The option also aligns more closely with some existing service delivery boundaries, including housing market sub-areas and social service area teams.
- 3.9 However, there may be a case for justifying a reduction in the number of service areas from six to five - for example merging Kilwinning with Irvine where joint Health and Social Services (e.g. Ayrshire Central) are equally accessible to both communities.

**Option 4 - Socio-economic drivers (B) (4 areas)**

*Arran / Irvine & Kilwinning / Three Towns / North Coast & Garnock Valley & West Kilbride*

- 3.10 This proposal divides North Ayrshire into four coherent and easily identified areas. There are distinctive north-south disparities in levels of household income and multiple deprivation in North Ayrshire. Drawing a line travelling east from the B714-A78 junction through to the B707-A736 junction allows us to divide the local authority area into two distinctive low and high density sub areas. This creates a less deprived, geographically dispersed northern service area, contrasted

with a more densely populated and multiply deprived southern area for improved targeting of resources.

- 3.11 This option has some limitations in terms of developing service delivery within a highly dispersed northern area with less efficient east-west travel times. The North Coast profile of service delivery will also be different from the needs of the Garnock Valley, reinforced by communities who do not necessarily identify with each other. Stronger public transport connections also underpin shopping and travel to work patterns reinforcing links from the Garnock Valley south to Irvine and north to Renfrewshire and Glasgow. It is also arguable that certain hotspots of deprivation in Kilbirnie, Beith and Dalry may be less conspicuous if included in a broader North Coast analysis.

#### *Recommendation*

- 3.12 The Cabinet is asked to initially approve Option 3 areas (Arran / Irvine / Kilwinning / Three Towns / Garnock Valley / North Coast & Cumbraes). 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.

## **4. Implications**

### Financial Implications

- 4.1 There are no immediate financial implications associated with the introduction of new neighbourhood boundaries. However, over a longer timescale, the new boundaries will be established as the geography for Community Planning Partners to plan, review, direct and share respective resources as appropriate under the optimum service delivery model(s) the partnership agrees are appropriate for individual neighbourhoods.

### Human Resource Implications

- 4.2 There are no direct human resource implications for North Ayrshire Council staff, however the introduction of new neighbourhood boundaries will carry resource re-alignment implications for the Community Planning Partnership as a whole. These would be addressed in the longer term within an associated Neighbourhood Planning Implementation Plan.

### Legal Implications

- 4.3 There are no legal implications associated with the introduction of new neighbourhood boundaries.

#### Equality Implications

- 4.4 There are no equality implications associated with the introduction of new neighbourhood boundaries.

#### Environmental Implications

- 4.5 The introduction of the neighbourhood planning approach will be central to the further development and delivery of integrated services. Shared resources, within energy efficient buildings, and commensurate reduction in work related mileage, through more centralised public services, will have positive benefits for the environment.

#### Implications for Key Priorities

- 4.6 The new boundary proposals directly support the integration agenda central to the future delivery of public services in North Ayrshire. The proposed boundaries support the CPP's priorities and will present new opportunities towards more integrated working across the Community Planning Partnership.

#### Community Benefit Implications

- 4.7 Through more targeted and integrated service delivery, local communities will benefit from improved joint working between key partner agencies. Proximity of agencies, improved communication, sharing of resources and good practice will support intervention and prevention activity. A more seamless approach to responding to individual service users will also generate efficiencies and improved local services for communities.

### **5. Consultations**

- 5.1 The Senior Management Team (SMT) and the Community Planning Partnership (CPP) Board have been consulted on the new boundary proposals. There has been no direct public consultation on the proposals to date.

### **6. Conclusion**

- 6.1 A detailed appraisal of options ideally needs to take account of a range of factors including geographic location, population density, people flows, transport links, travel times, and community integration as well as levels of multiple deprivation.

- 6.2 An ad hoc North Ayrshire Neighbourhood Planning Approach group with representation from key partners has considered the initial proposals. Option 3 (six areas) was proposed by the group as offering the best potential for more targeted distribution of resources to North Ayrshire communities.



ELMA MURRAY  
Chief Executive

Reference :

For further information please contact Damien Griffith, Community Planning Partnership Analyst on 01294 324162.

**Background Papers**

None





## **Option 1** Balanced populations / Existing Wards (8 Areas)



*Irvine West / Irvine East / Kilwinning / Saltcoats & Stevenston / Ardrossan & Arran / West Kilbride & Dalry / Kilbirnie & Beith / North Coast & Cumbraes*

### **Strengths**

- Close political alignment and meaningful engagement for members.
- Balances and distributes populations as fairly as can be achieved.

### **Issues**

- Ardrossan no socio-economic relationship to Arran.
- Dalry has less in common with West Kilbride.
- Irvine split although many services delivered to Irvine as a whole.
- Ardrossan more established as part of Three Towns identity.
- Too many areas for services to be realistically deployed.
- Wards currently not recognised by communities.

## **Option 2** Geographic Cluster / Spatial Interaction (5 Areas)



*Arran / Irvine & Kilwinning / Three Towns & West Kilbride / Garnock Valley / North Coast & Cumbraes*

### **Strengths**

- Lower geographic spread / travel time.
- More responsive / localised services.
- 6 coherent self-contained areas (e.g. Arran / Kilwinning / Garnock Valley towns).
- Recognises interaction between settlements.
- Communities more likely to identify with most areas.

### **Issues**

- West Kilbride less likely to identify with Three Towns.
- Although three miles from Irvine High Street, Kilwinning retains separate identity.
- High demands / need from greater Irvine area likely to dominate resource distribution agenda.



### Option 3 Socio-economic drivers (a) (6 Areas)



*Arran / Irvine / Kilwinning / Three Towns /  
Garnock Valley / North Coast & Cumbraes &  
West Kilbride*

#### **Strengths**

- Less deprived settlements are grouped (e.g. West Kilbride with Largs / Garnock Valley).
- Ardrossan merged with Stevenston & Saltcoats.
- Closer alignment with many existing boundaries (e.g. Housing Market sub-areas, Social Services Area Teams).
- Separate community identity for Irvine & Kilwinning preserved.

#### **Issues**

- Case for merging Kilwinning with Irvine where some services (e.g. Ayrshire Central) are equally accessible.

### Option 4 Socio-economic drivers (b) (4 Areas)



*Arran / Irvine & Kilwinning / Three Towns /  
North Coast, Cumbraes, Garnock Valley &  
West Kilbride*

#### **Strengths**

- 4 easily identified areas
- Strong socio-economic coherence (e.g. Three Towns / Irvine / Kilwinning)

#### **Issues**

- North Coast profile of needs/demand for services different from Garnock Valley.
- North Coast and Garnock Valley area too wide for localised service delivery – where to locate?
- Certain hotspots of multiple deprivation in Kilbirnie / Beith / Dalry may be diminished in broader North Coast context

---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 9**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **Chief Social Work Officer Annual Report**

---

**Purpose:** To provide the report of the Chief Social Work Officer to the Cabinet, as required by the Scottish Government's Guidance.

---

**Recommendation:** That the Cabinet note and endorse the report set out at Appendix 1.

---

#### **1. Introduction**

- 1.1 There is a requirement for every local authority to appoint a professionally qualified Chief Social Work Officer (CSWO) and this is contained within Section 3 of the Social Work (Scotland) Act 1968 as amended by the Local Government (Scotland) Act 1994, Section 45. The particular qualifications are set down in Regulations and require that the post holder is a qualified social worker registered with the Scottish Social Services Council. This is one of a number of statutory requirements in relation to posts, roles or duties with which local authorities must comply.

#### **2. Current Position**

- 2.1 As outlined in the guidance, 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 is attached at Appendix 1.

#### **3. Proposals**

- 3.1 It is proposed that the Executive notes and endorses the report set out at Appendix 1.

#### **4. Implications**

Financial Implications

- 4.1 There are none.

#### Human Resource Implications

- 4.2 There are none.

#### Legal Implications

- 4.3 There are none.

#### Equality Implications

- 4.4 There are none.

#### Environmental Implications

- 4.5 There are none.

#### Implications for Key Priorities

- 4.6 This report covers matters which contribute to outcomes 5(a), 6(a), 6(c), 6(d), 8(a) and 9(a) of the Single Outcome Agreement.

#### Community Benefit Implications

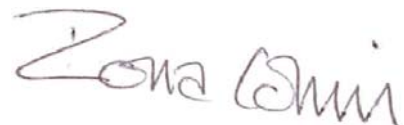
- 4.7 There are none.

### 5. Consultations

- 5.1 No consultation was required in preparation of this report.

### 6. Conclusion

- 6.1 The CSWO Annual Report complements the service planning and reporting arrangements that are routinely in place within the Council for the Corporate Director (Social Services & Health). It refers particularly to those statutory interventions which will be carried out by the registered social worker.



IONA COLVIN

Corporate Director (Social Services and Health)

Reference : IC/KA

For further information please contact Iona Colvin, Corporate Director on 01294 317723

### Background Papers

-



**NORTH AYRSHIRE**  
COUNCIL

**CHIEF SOCIAL WORK OFFICER**  
**ANNUAL REPORT**  
**APRIL 2011 – MARCH 2012**

## **CONTENTS:**

- 1. Introduction**
- 2. Governance**
- 3. Statutory Duties and Decisions**
- 4. Protection and Risk Management**
- 5. Regulation, Inspection and Improvement Activity**
- 6. Complaints**
- 7. Workforce Development**
- 8. Conclusion**

## **1. Introduction**

- 1.1 This is the 2011 – 2012 annual report from the Chief Social Work Officer of North Ayrshire Council.
- 1.2 The Chief Social Work Officer role was commented on by the Social Work Inspection Agency's review of its Performance Inspection Programme 2005/2009 'Improving Social Work Scotland', "the way in which this statutory role is given effect by councils is of critical importance to questions of quality assurance, governance, morale and confidence of the workforce in overall leadership".
- 1.3 The responsibility of social work services is to promote people's safety, dignity and independence, and to protect communities by reducing offending and managing the risk posed by known offenders. This is done within a framework of statutory duties and powers imposed on the Council. Services are required to meet national standards and to provide best value. Our services are delivered in partnership with a range of stakeholders, including, most importantly, people who use them.
- 1.4 The role of the Chief Social Work Officer is to provide professional governance, leadership and accountability for the delivery of social work and social care services, whether these are provided by the council or purchased from the third sector. The Chief Social Work Officer also briefs portfolio holders, Community Health Partnership committee members and CoSLA Executive group representatives as required to assist them in fulfilling their functions and in understanding the complexities of the social work task.
- 1.5 In addition, there is a small number of duties and decisions that relate primarily to the curtailment of individual freedom and the protection of both individuals and the public, which must be made by the Chief Social Work Officer or by a professionally qualified social worker to whom the responsibility has been delegated by the Chief Social Work Officer and for which the latter remains accountable.

## **2. Governance**

- 2.1 The Scottish Government guidance on the role of the Chief Social Work Officer articulates the expectations on councils with regard to professional governance and quality assurance of social work and social care services. A reporting framework compliant with the guidance, which prioritises child protection, adult protection and the management of dangerous offenders, is in operation within Social Services and Health.
- 2.2 Within North Ayrshire Council the Corporate Director for Social Services and Health is also the Chief Social Work Officer. This is widely recognised as being the most straight forward way in which the requirements of the Scottish Government's guidance on this role are met.

2.3 North Ayrshire Council's arrangements also meet the requirement to have the post positioned at a level of seniority commensurate with the complex duties described in the guidance.

2.4 As a Corporate Director, the Chief Social Work Officer is routinely required to provide professional advice to North Ayrshire Council on the provision of social work services. Through membership of the Corporate Management Team specialist advice is provided to senior officers and through attendance at council meetings and meetings of the Cabinet of the council to elected members. This includes contributing directly to the budget setting processes of the council and to the determining of the council's priorities and assessment of its risks.

### **3. Statutory Duties and Decisions**

3.1 The Council's scheme of delegation provides for senior social work staff to make relevant decisions on behalf of the local authority. The revised reporting arrangements allow for the Chief Social Work Officer to oversee these decisions, where they relate to social work services.

#### **3.2 Mental Health Officer Service**

The Mental Health Officer service undertakes assessments in relation to three pieces of legislation:

- The Mental Health (Care and Treatment) (Scotland) Act 2003
- The Criminal Procedure (Scotland) Act 1995
- The Adults with Incapacity (Scotland) Act 2000

3.3 Mental Health Officer assessment and the related statutory tasks are required under a range of provisions contained within these Acts, depending on the circumstances of the service user, whether compulsory measures are for assessment, treatment, provision of community care services or a combination of these; and whether they are a result of civil or criminal procedures. As the provision within both the Mental Health (Care and Treatment) (Scotland) Act and the Criminal Procedures (Scotland) Act are sequential in nature, an individual is likely to require multiple Mental Health Officer assessments during one episode of compulsory care and treatment.

3.4 The main duties of a Mental Health Officer with regard to Compulsory Detention are:

- To provide consent with regard to an Emergency or Short-Term Detention Certificate.
- To apply for a Compulsory Treatment Order.
- Interview patients who may be detained under the Act and prepare appropriate reports and care plans.
- To advise patients of their rights, including the right to have access to an independent advocate and to have a named person to look after their interests.
- To notify the Mental Welfare Commission and the patient's named person when someone is detained or an application is made for a Compulsory Treatment Order.
- To be the allocated Designated Mental Health Officer in accordance with the Act.



- 3.5 Compulsory detention in hospital or compulsory treatment in the community takes place under the auspices of the Mental Health (Care and Treatment) Act 2003. The following information highlights the 2011/12 activity and provides the previous two years figures for trend analysis.

	2009/10	2010/11	2011/12
Compulsory Treatment Orders:	22	24	22
Emergency Detention in Hospital:	9	10	7
Short-Term Detention in Hospital:	73	79	66
Assessments completed by Mental Health Officers (including assessments to extend or vary orders, social circumstances reports, reports for court disposals for mentally disordered offenders):	83	88	85

3.6 **The Adults with Incapacity (Scotland) Act 2000**

The Adults with Incapacity (Scotland) Act 2000 is applied when an adult is assessed as being unable to make his/her own decisions, usually as a result of mental disorder, which results in the adult being unable to safeguard his/her welfare and/or property and finances.

3.7 **AWIA - Welfare Guardianship Orders**

The Local Authority will only apply to appoint the Chief Social Work Officer as Welfare Guardian where no one else is willing or able to make an application. This will only be done when an individual lacks capacity and powers and may be required in order to safeguard the individual's personal welfare, property or financial affairs. The main powers (although not exclusive) sought are:

- To decide where the Adult should reside and be cared for.
- To determine what support the Adult requires and to arrange for such support to be provided.

3.8 **AWIA - Financial Guardianship Orders**

Local Authority involvement in Guardianships is mainly confined to Welfare Orders although they still have responsibilities regarding applications relating to financial powers. The Local Authority has a duty to apply for Financial Guardianship where it is necessary and no one else is applying. The Local Authority will where possible identify and nominate a suitable person, such as a Solicitor or Accountant as Financial Guardians.

- 3.9 The following table indicates the orders made during 2011/12 and a total as at 31<sup>st</sup> March 2012. The previous two years data is included for trend analysis:

	New Orders 2009/10	New Orders 2010/11	New Orders 2011/12	Total at 31 March 2012
Welfare Guardianship:	19	31	21	81
Financial Guardianship:	11	17	9	19
Welfare and Financial Guardianship:	19	19	30	87
<b>Total:</b>	<b>49</b>	<b>67</b>	<b>60</b>	<b>187</b>
Orders for which the CSWO is Guardian (welfare only):	9	10	10	33
Number of assessments made by Mental Health Officers in relation to applications for Welfare Guardianship:	57	49	60	

### 3.10 Permanent Care for Children

Most children who are accommodated in foster care in North Ayrshire have been placed there due to the concerns and problems created by their parent's substance misuse and domestic violence. It is largely due to the intractable nature of these problems that most of these children are unable to be rehabilitated with their parents. Securing early permanent alternative family-based care for children unable to remain with their birth family is one of the most important factors in their healthy emotional development. Permanency planning continues to be an area of priority and developments are on-going to support best practice in this area.

	January – December 2009	2010/11	2011/12
Number of Permanency Plans Completed:	30	23	13
Adoption – Approved and Not Placed:	4	0	0
Adoption – Approved and Placed:	9	20	12
Adoptions Granted:	8	6	14
Parental Responsibilities Order Application Approved:	15	0	0
Parental Responsibilities Order Granted:	15	0	–
Permanence Orders Approved			15
Permanence Orders Granted			9
Permanence Order with Authority to Adopt Approved			2
Permanence Order with Authority to Adopt Granted			1

(Parental Responsibility Orders ended in Dec 2009 with the introduction of the Adoption and Children (Scotland) Act 2009)

### 3.11 Kinship Care

Social Services have seen a steady increase in kinship care placements over the last few years and the service established a Kinship Care Team in 2011. This team consists of a social worker and a social work assistant and the following range of supports have been developed:

- Kinship Care Newsletter
- Kinship Carer Handbook
- Establishment of a Kinship Carer Panel
- Annual review for all kinship carers
- Kinship Carer Support Groups
- Advice and guidance as required

3.12 The following table outlines the number of kinship carers and children in placement over the past three years:

	2010	2011	2012
Number of Kinship Carers as at 31 <sup>st</sup> March:	85	121	138
Number of Children in a Kinship Care Placement as at 31 <sup>st</sup> March:	119	176	201

3.13 On-going developments are taking place within the service to promote the use of residence orders to secure children within the kinship care placement where appropriate. At 31 March 2012 43 children were subject to residence orders with 33 carers.

### 3.14 Secure Accommodation of Children

Each year there are a small number of children who have been found to be a significant danger to themselves or others in the community. These children and young people are placed in secure care by means of the Sheriff or High Court processes.

3.15 In very limited circumstances, when children are considered by a Children's Hearing to present a serious risk of harm, either to themselves or to others, the Chief Social Work Officer may agree their detention in secure accommodation. Rarely a child may be placed in secure accommodation at the instigation of the Chief Social Work Officer. These decisions must be confirmed by a Children's Hearing and must be kept under close review.

3.16 Social Services continue to make good progress in reducing the numbers of children in secure care by utilising community based intensive support alternatives as part of our whole systems approach. Figures from 2009/2010 until 2011/2012 are set out below. As can be seen secure placements are of short duration and limited to a small number of the most concerning children and young people.

Children Detained:	2009 – 2010	Average Length of Stay:	2010 – 2011	Average Length of Stay:	2011 – 2012	Average Length of Stay:
By Hearing or CSWO:	1	3 months	4	3 months	4	1.4 months
By Courts:	7	3-4 months	2	11 months	3	5 months

3.17 We have seen a continuation of low numbers of young people requiring secure placements. Whilst the numbers placed in secure accommodation through 2011/12 are broadly similar to the previous year, the average length of time young people spend in such placements has reduced considerably. This is, in part, due to the facilitation of focused care plans designed to support young people upon their return to the community. The effectiveness of such plans, and the mobilisation of resources to support that plan, has helped to satisfy Sheriffs and Children's Hearings that young people, and the communities to which they return, can be supported safely.

3.18 We have continued to develop a Whole Systems approach to this area of work and our initiatives have been recognised nationally. Earlier this year our Programme Approach Team and Criminal Justice Service received a Silver COSLA award for innovation and the Scottish Government has involved them in delivering inputs to national events about this work.

#### **4. Protection and Risk Management**

4.1 The assessment and management of risk posed to individual children, vulnerable adults and the wider community are part of the core functions of social work. The Chief Social Work Officer has an overview of related risk management activity, both within the council and across agency boundaries.

4.2 Reflecting the importance of joint working and highlighting the complexity of the landscape, the following multi-agency mechanisms are in operation:

- North Ayrshire Chief Officers Group
- North Ayrshire Child Protection Committee
- North Ayrshire Adult Protection Committee
- Criminal Justice Joint Committee
- North Ayrshire Community Health Partnership

4.3 The following tables provide a summary of the volume of protection related activity over the past three years.

#### **4.4 Children**

As the lead agency for child protection, social services continue to work with partners to raise awareness and understanding of child protection through multi-agency training and joint working. The level of substance misuse and domestic violence in North Ayrshire presents the greatest threat to the safety and wellbeing of children and an area of challenge for services. The following tables outline the figures:

	2009/10	2010/11	2011/12
Child Protection Referrals:	317	328	390
Child Protection Initial Conferences:	129	166	145
Pre Birth Conferences	53	54	33
Children on Child Protection Register:	60	50	74
Children looked after at home:	185	209	223
Children looked after away from home (includes those in kinship care):	342	372	387

(Please note 2011/12 Child Protection data covers period 1 August 2011 – 31 July 2012 due to changes in Scottish Government Return. Number on CP Register is as at 31/07/12)

#### 4.5 Domestic Abuse

During 2011/12, North Ayrshire Council received 781 domestic abuse referrals from Strathclyde Police. A total of 1347 children were involved in these incidents. This is a 2.7% decrease from 2010/11.

#### 4.6 The following table highlights the outcomes for those children involved:

OUTCOME OF DOMESTIC ABUSE INCIDENT:	2009/10 NUMBER OF CHILDREN	2010/11 NUMBER OF CHILDREN	2011/12 NUMBER OF CHILDREN
Number of Children Involved	1507	1384	1347
Formal Report Request (IAR/SBR):	200	219	233
Voluntary Supervision Order:	31	24	27
Statutory Supervision Order:	6	6	16
Child Protection Investigation Initiated:	12	8	16
Name Placed on Child Protection Register:	2	0	2
Child Accommodated:	0	0	0

#### 4.7 For the second year running, the number of domestic incidents referred to Social Services by the police, and also the number of children affected by those incidents has decreased. Scottish Children's Reporter Administration (SCRA) requested formal reports from Social Services on 17% of the young people affected, an increase of 1% from the previous year but still considerably lower than the 22.5% requested in 08/09.

#### 4.8 There has been an increase from 2010/11 in the numbers of children made subject to voluntary orders and statutory supervision. In addition, there was an increase in child protection investigations undertaken as a result of domestic incidents and an increase in the number of children's names placed on the child protection register.

#### 4.10 Adult Protection

The Council's adult protection responsibilities apply only to adults at risk of harm. Adults at risk of harm are aged 16 and over and are unable to safeguard their own well-being, property, rights or other interests because they are affected by disability, mental disorder, illness, physical or mental infirmity or are more vulnerable to being harmed than other adults. Local authorities have a statutory duty to make enquiries where there are adult protection concerns. A range of public bodies and their office holders likewise have a duty to co-operate with adult protection enquiries.

- 4.11 Social Services staff will always seek to use the least restrictive option in protecting an adult at risk of harm. Where this is insufficient an appropriate social work officer can apply to the Sheriff for an assessment, removal or banning order and when any of these orders are granted a warrant for entry can also be granted.

	2009/10	2010/11	2011/12
Adult Protection Referrals:	246	242	291
Inter-Agency Referral Discussions:	19	6	5
Adult Protection Case Conference:	6	12	24
Banning Orders Granted:	0	4	7

#### 4.12 Offenders

The table below relates to offenders in the Community subject to statutory supervision at 31 March 2012.

	Male	Female	Total
Probation Orders:	77	8	85
Community Service Orders:	74	16	90
Community Payback Orders:	313	49	362
Drug Treatment and Testing Orders:	13	7	20
Bail Supervision:	17	8	25
Statutory supervision of released prisoners e.g. life licence, parole, extended sentences, supervised release orders:	41	0	41

- 4.13 As noted in last year's report the Criminal Justice and Licensing (Scotland) Act 2010 replaced probation and community service with a community payback order for offences committed after 1 February 2011. As indicated from the above table there has been the expected decrease in the use of probation and community service and an increase in the use of community payback orders. An important aspect of community payback is to promote the use of community sentencing. On March 26<sup>th</sup> 2012 at the national Community Payback Awards ceremony, which promotes the benefits of the unpaid work requirement of community payback orders, North Ayrshire Council's Community Payback Team were short listed in the "innovation" category and came second being "highly commended".

#### 4.14 **Multi Agency Public Protection Arrangements (MAPPA)**

Multi Agency Public Protection Arrangements (MAPPA) are formal joint working arrangements between Criminal Justice Social Work and the Police which means that both agencies have a responsibility to share information, jointly assess and risk manage registered sex offenders. These arrangements were established further to the introduction of the Sexual Offenders Act 1997, which required certain sex offenders to notify their whereabouts and register with the Police.

#### 4.15 Registered Sex Offenders dealt with through MAPPA are categorised on three levels:

- Level 1: normally low to moderate risk of serious harm offenders described as “ordinary risk management”, requiring only one agency to manage the risk.
- Level 2: normally moderate to high risk of serious harm offenders, requiring Multi Agency Public Protection Arrangements, MAPPA Level 2 meetings are chaired by a Team Manager or Police Inspector.
- Level 3: described as the “critical few”, normally high to very high risk of serious harm offenders, requiring Multi Agency Public Protection Panels (MAPPP's), meetings are normally chaired by a Head of Service or Police Superintendent.

<b>The Number of MAPPA Assessments completed as at 31 March 2012:</b>		
<b>LEVEL 1:</b>	<b>LEVEL 2:</b>	<b>LEVEL 3:</b>
94	11	1

### 5. **Regulation, Inspection and Improvement Activity**

#### 5.1 **New Regulatory Body**

From 1 April 2011, Social Care and Social Work Improvement Scotland (SCSWIS) took on the responsibility for the work of the Care Commission, the Social Work Inspection Agency (SWIA) and the child protection remit of Her Majesty's Inspectorate of Education (HMIE). From 15 September 2011 the working name of Social Care and Social Work Improvement Scotland changed to the Care Inspectorate.

#### 5.2 This significant change followed the Crearer review and the Public Service Reform (Scotland) Act 2010. The change is intended to increase the coherence and efficiency of inspection activity, decrease the administrative impact this places on services, and to recognise the responsibilities public services have to demonstrate continuous improvement. However it should be noted that NAC Social Services have experienced a relatively high level of external scrutiny in the past two years. An inspection of children's Services will take place in 2012/13.

#### 5.3 **Inspections of Registered Services**

The table below sets out the quality of registered services managed by North Ayrshire Council during 2011/2012. Since the Public Services Reform (Scotland) Act 2010 and the introduction of Social Care Social Work Improvement Scotland (SCSWIS) on 1 April 2011, minimum frequency of inspection is now informed by a risk based, targeted inspection regime.

<b>CARE HOMES – INSPECTED THEMES: CARE/ENVIRONMENT/STAFFING/MANAGEMENT</b>			
<b>Children:</b>	<b>Quality Grades:</b>	<b>Older People:</b>	<b>Quality Grades:</b>
Abbey Croft	4/5/4/5	Anam Cara	4/4/4/4
Achnamara	5/5/4/5	David White	5/5/5/4
Canmore	4/4/4/5	Montrose House	2/4/3/3
The Meadows	5/5/4/5		
Mount View	4/4/4/5		
<b>DAY CARE – INSPECTED THEMES: CARE/ENVIRONMENT/STAFFING/MANAGEMENT</b>			
<b>Older People:</b>	<b>Quality Grades:</b>	<b>Adults:</b>	<b>Quality Grades:</b>
Burns	4/5/3/5	Dirrans	6/5/5/5
Care Point	4/5/3/5	Interlink (Fergushill)	5/4/4/4
Castleview	3/4/4/3	Interlink (Hazeldene)	5/3/3/3
Gowanlea	5/4/4/4	Community Based Services	5/4/4/4
Strand	4/n/a/4/3		
Stronach	5/4/4/4		
Thistle	4/5/4/5		
<b>OTHER SERVICES – INSPECTED THEMES: CARE/STAFFING/MANAGEMENT</b>			
	<b>Quality Grades:</b>	<b>Care At Home:</b>	<b>Quality Grades:</b>
Adoption	5/4/4	Garnock Valley	3/3/3
Fostering	5/4/4	Irvine	3/3/3
		North Coast	3/3/3
Arran Outreach Service	5/4/4	Three Towns	3/3/4

- 5.4 It should be noted that whilst the above grades reflect the up-to-date position as at March 2012, that the inspection process focuses on only one or two themes per year. Therefore the grades shown relate to inspections which have taken place between 2009 and 2012 and therefore cannot all be assumed to reflect the current quality of services.
- 5.5 The majority of our services continue to evidence improvements and have been inspected as good or very good (4 or 5) for the themed areas of quality of care, environment, staffing and management and leadership. Those services which have been inspected as weak or adequate (2 or 3) have current action plans to address these issues. All inspection reports are analysed and action plans are developed in response to these.
- 5.6 **Quality Assurance of Purchased Services**  
During 2011/12 a Contract Monitoring Framework was developed which will provide a level of supplier management designed to secure the best outcomes for service users and represents best value in terms of quality and cost. The framework will seek to ensure that services are being delivered to support service user outcomes, meet contract and regulatory requirements and provide a mechanism for continuous improvement. It is a partnership effort between the provider responsible for their quality assurance, the care managers responsible for individual care planning and reviewing and the contracts manager who collates and analyses information, taking action where required.



- 5.7 The contract monitoring return is a vital tool in the framework, which providers will use to self assess their performance across a range of performance indicators, including service user outcomes, quality, service, delivery and cost. This will be key in identifying both areas for improvement and best practice which will be shared through the provider forums which have been set up. Quarterly reports will also be submitted to the Senior Management Team meeting. Further work is taking place to improve our processes with regard to service user participation and feedback.
- 5.8 **Self-Evaluation and Improvement Activity**  
Self-Evaluation is an increasingly important activity and is the key to effective and continuous improvement. It helps services identify what works well in contributing to good outcomes; it provides a mechanism for staff at all levels to reflect on what needs to improve; and it provides valuable information for partners; stakeholders and external scrutiny bodies on the quality of our services.
- 5.9 **Self-Evaluation – ‘Evidencing Success’**  
During 2011/12 our service developed and branded an approach to carry out self-evaluation of front line services based on the Performance Improvement Model promoted by the Care Inspectorate. Our ‘Evidencing Success’ approach has been adopted and a programme of self-evaluation activity will be implemented in 2012/13.
- 5.10 Social Services will continue to use the Public Sector Improvement Framework (PSIF) to undertake a high level service wide self-assessment every three years in line with the Council’s Performance Management Strategy. Such higher level assessments will assist the service in identifying areas where a closer look is required.
- 5.11 **Case File Audit**  
In November 2011 a service wide on-going approach to case file auditing was implemented and overseen by our Policy and Practice Team. This approach was developed to include the gathering of both qualitative and quantitative practice related evidence. All managers participate in file reading, which is based on the format promoted by the Care Inspectorate. There is also a verification system in place to support the standardisation of our practice in this area. At 31 March 2012 192 case files had been audited.
- 5.12 A quarterly analysis of the audits completed has taken place and so far two reports have been presented to our Governance Board outlining improvement actions, which have been disseminated within our service. This cyclical approach to case file auditing will continue and quarterly reports will now be prepared on service areas to allow us to take a closer look and continue to promote continuous improvement within each service area.

### 5.13 Staff Reference Group

Our Staff Reference Group was established in December 2011 to ensure that social services staff can make a full and on-going contribution to the continuous improvement of service development and delivery. Two of the key roles of the SRG are to ensure an effective two-way communication channel between staff and senior management is maintained and this group will also act as a vehicle for staff to respond to strategic and operational initiatives. The group is closely involved in helping to test and develop solutions within social services.

## 6. Complaints

- 6.1 The Council's social services are required by statute to report annually on complaints received from service users, their carers and representatives. The nature of the complaints are such that these can often require detailed investigation resulting in response times that do not routinely meet corporate time-scales. The tables below demonstrate the number of Stage 2 complaints and the response times over the last three years:

Period 2009 – 2010:	Number of complaints received in the Quarter:	Number acknowledged within 5 days:	% acknowledged within 5 days:	Number responded to within 28 days:	% responded to within 28 days:
Apr – Jun 09	24	24	100%	15	63%
Jul – Sep 09	33	33	100%	20	61%
Oct – Dec 09	23	23	100%	16	70%
Jan – Mar 10	29	29	100%	18	62%
Totals:	109	109	100%	69	63%

Period 2010 – 2011:	Number of complaints received in the Quarter:	Number acknowledged within 5 days:	% acknowledged within 5 days:	Number responded to within 28 days:	% responded to within 28 days:
Apr – Jun 10	23	23	100%	14	61%
Jul – Sep 10	17	17	100%	13	76%
Oct – Dec 10	16	16	100%	12	75%
Jan – Mar 11	23	23	100%	15	65%
Totals:	79	79	100%	54	68%

Period 2011 – 2012:	Number of complaints received in the Quarter:	Number acknowledged within 5 days:	% acknowledged within 5 days:	Number responded to within 28 days:	% responded to within 28 days:
Apr – Jun 11	26	26	100%	23	88%
Jul – Sep 11	28	26	93%	19	68%
Oct – Dec 11	30	30	100%	23	77%
Jan – Mar 12	19	19	100%	12	63%
Totals:	103	101	98%	77	75%

- 6.2 The volume of Social Services complaints is comparable with the last two years, however there has been a significant improvement in how the complaints are handled with 75% being closed within the 20-day timescale.
- 6.3 In order to maintain improved performance the service has taken steps to strengthen recording systems for capturing complaint outcomes in order to inform our improvement agenda.
- 6.4 The following two tables outlines the outcome of the 2011/12 complaints received and the analysis of this which will be used to inform our continuous improvement agenda.

<b>Analysis of Complaints Received</b>	
<b>Category of Complaint</b>	<b>Number</b>
Failure to provide a service	9
Failure to achieve standards / quality of service	36
Failure to fulfil statutory responsibilities	0
Bias or unfair discrimination	0
Service adjustment or withdrawal	3
Dissatisfaction with the way Council policies are carried out	10
Failure to consider relevant matters in coming to a decision, or with action taken in implementing that decision	1
Conduct of actions of individual employees	18
Delays in responding, or about the administrative process	8
Other	18

<b>Outcome</b>	<b>Apr - Jun</b>	<b>Jul - Sept</b>	<b>Oct – Dec</b>	<b>Jan - Mar</b>	<b>Number</b>
Upheld	10	11	12	7	40
Partially upheld	8	8	6	3	25
Not upheld	8	9	12	9	38

## **7. Workforce Development**

- 7.1 Workforce planning and development remain a key priority to meet the challenges of the future. Our service must continue to develop and sustain a learning culture which will be fundamental in maintaining the workforce capacity and capabilities within the changing social services environment.
- 7.2 **Social Services Course Delivery**  
Fifty five different course titles were available to Social Services employees via the Social Services Course directory and run by the service in-house Learning and Development Team. Between April 2011 and March 2012, 1,812 staff received in-house training.

### 7.3 **CALM and Moving and Handling**

Our commitment to ensuring that staff continue to be trained in Moving and Handling techniques was demonstrated as 644 employees received initial training and or refresher training over the last year. At the same time 294 staff received training and support in de-escalation and physical intervention practices by attending CALM (Crisis and Aggression Limitation and Management) training courses.

### 7.4 **Staff Working in Residential Care**

Good progress has continued in relation to qualifying the residential workforce in line with the Scottish Social Service Council requirements. Targets set for both care groups have been reached during 2011/2012 and this area of development will continue to be closely monitored.

7.5 At 31 March 2011 **76%** of staff in residential care homes for older people had achieved the qualifications required in order to register with the Scottish Social Services Council. At 31 March 2012 this figure had risen to **93.4%**.

7.6 At 31 March 2011 **75%** of staff in residential care homes for children and young people achieved the qualifications required in order to register with the Scottish Social Services Council. At 31 March 2012 this figure had risen to **82.3%**.

### 7.7 **Practice Learning**

Practice learning is an essential component of social work training and our service is committed to provide practice learning opportunities for social work students via the West of Scotland Learning Network. North Ayrshire Council Social Services is well regarded as a source of good quality learning opportunities and we value the partnership working and knowledge exchange activities with our colleagues from the relevant universities. During the academic year 2011/12 we provided 12 practice learning opportunities for student social workers.

### 7.8 **Knowledge Exchange**

The Knowledge Exchange was introduced in 2011 as an innovative forum for the open and frank exchange of ideas across Social Services and Health. It provides a departure from traditional thinking and practices by presenting some challenging concepts and ideas in a supportive environment. It also acts as a catalyst for improving informal communications, facilitating cross-team linkages and supporting staff development.

7.9 Three one hour long lunchtime sessions were delivered as an initial programme. Different formats were used to encourage participation and have included a roundtable discussion, interview and debate. Attendance was entirely voluntary and all targets for the initial programme were exceeded. A survey of all Knowledge Exchange participants was undertaken in March 2012 and 93% of participants stated they had a positive view of the Knowledge Exchange and wanted more and different formats. As a result 5 new events have been scheduled to take place.

## **8. Conclusion**

- 8.1 As indicated this annual report of the Chief Social Work Officer complements the service planning and reporting arrangements that are routinely in place within the Council for the Corporate Director (Social Services and Health). It refers particularly to those statutory interventions which will be carried out by the registered social worker.

**Iona Colvin**  
**Corporate Director (Social Services & Health)**



---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 10**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **Central Scotland Green Network (CSGN): Local Authority Concordat**

---

**Purpose:** To seek Cabinet's agreement to the Council being a signatory to the Local Authority Concordat with the Central Scotland Green Network (CSGN).

---

**Recommendation:** That the Cabinet agrees to approve:

1. the Council being a signatory to the Local Authority Concordat with the Central Scotland Green Network (CSGN);
2. to adhere to the CSGN principles expressed in the Concordat; and
3. to embed the CSGN in all relevant policies, strategies and plans, most notably in the Single Outcome Agreement and the Local Development Plan.

---

#### **1. Introduction**

- 1.1 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 Scottish Government's second National Planning Framework (NPF) identifies the CSGN as a national priority, which will deliver:

“.... a step change in environmental quality, woodland cover and recreational opportunities...(and) make Central Scotland a more attractive place to live in, do business and visit; help to absorb CO<sub>2</sub>; enhance biodiversity; and promote active travel and healthier life styles.”

- 1.2 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.

- 1.3 A CSGN Partnership Board has been established to help drive forward development and delivery of the Green Network. Scottish Natural Heritage and Forestry Commission Scotland have responsibility as joint lead partners for the management and delivery of the CSGN ambitions on behalf of Scottish Government. Details in respect of the CSGN Vision statement, the members of the Board and the initial milestones of the CSGN project are set out in Appendix 1.

## **2. Current Position**

- 2.1 The CSGN concept has been incorporated into the North Ayrshire Local Development Plan (LDP), which includes references to the CSGN and provision for 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.
- 2.2 A CSGN Development Fund was announced by Scottish Ministers in May 2010. This 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.
- 2.3 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 including path upgrades, signage, outdoor gym equipment, preparation of strategy documents and habitat network mapping. In addition, funding has been secured for a CSGN Co-ordinator for the Ayrshire & Arran Green Network for a period of two years. More details of the funding awards are contained within Appendix 3. Future funding rounds are anticipated to focus on opportunities for woodland expansion, new and enhanced strategic routes for active travel and recreation, restoration of vacant and derelict land for green network purposes, and habitat development.
- 2.4 By signing up to the proposed concordat, the Council is demonstrating its commitment to the CSGN as a national initiative. of the commitments outlined in the concordat, significant progress has already been made in meeting them, as follows:
- The Council's SOA already embeds the principles of the CSGN, such as through 10 (c) 'condition of...path networks...has improved', and 12 (a) 'our environment is protected and enhanced'. Indirectly, delivery of the CSGN has links with several other SOA outcomes (see paragraph 4.6 below);



- Partnership work has improved, evidenced by the inception of the Ayrshire Woodland Strategy Steering Group and the Ayrshire & Arran Green Network Partnership;
- A variety of CSGN projects have already been delivered to further the CSGN in North Ayrshire (see Appendix 3); and
- Work is underway on updating the Local Biodiversity Action Plan for Ayrshire.

### **3. Proposals**

- 3.1 That the Cabinet agrees to approve:
- a) the Council being a signatory to the Local Authority Concordat with the Central Scotland Green Network (CSGN);
  - b) to adhere to the CSGN principles expressed in the Concordat; and
  - c) to embed the CSGN in all relevant policies, strategies and plans, most notably in the Single Outcome Agreement and the Local Development Plan.

A copy of the proposed Concordat between the CSGN and the Council is included within Appendix 2 of this report.

### **4. Implications**

#### Financial Implications

- 4.1 There will be no added financial burden to the Council as a result of the proposed Local Authority Concordat with the CSGN and the costs of any new green network projects will predominantly be met from a combination of external grant funding and the Council's existing budget provision for green network (outdoor access) provision.

#### Human Resource Implications

- 4.2 None.

#### Legal Implications

- 4.3 None.

#### Equality Implications

- 4.4 None.

## Environmental Implications

- 4.5 The CSGN Concordat will formalise current working practices within the Council to pursue partnership working to develop and implement the green network and associated initiatives across North Ayrshire in line with NPF 2, which will bring about environmental improvements.

## Implications for Key Priorities

- 4.6 The CSGN Concordat and its key priorities to improve green spaces and strategic paths will assist in achieving SOA outcomes 1(b), 1(c), 6(a), 10(c) and 12(a). It is already included within the Council's Local Development Plan and is in line with a number of the aims and objectives of existing Council documents such as Core Paths Plan, Outdoor Access Strategy, Local Transport Strategy and Council Plan.

## Community Benefit Implications

- 4.7 None.

## 5. Consultations

- 5.1 Consultation with Community Planning was undertaken. It was confirmed that the principles of the CSGN are embedded within the Single Outcome Agreement, evidenced by the links highlighted in paragraph 4.6 above.

## 6. Conclusion

- 6.1 Agreement to the CSGN Concordat and its embedding within all relevant Council policies, strategies and plans, most notably in the Single Outcome Agreement and the Local Development Plan will help ensure the successful delivery of key improvements to our green spaces and strategic paths.



IAN T MACKAY  
Solicitor to the Council

## Reference :

For further information please contact Richard Henry, Planning Officer on 01294 324777.

## Background Papers

0

### **CSGN Vision, Partnership Board and Strategic Enabling Milestones**

#### **CSGN Vision**

Making the vision a reality will mean radical change both to the environment of Central Scotland and in the way in which things are done. Five themes provide direction to deliver the vision and include:

- A place to belong – creating an environment that people can enjoy and where they choose to live
- A place for growth – creating an environment for sustainable economic growth
- A place in balance – creating an environment more in balance, to thrive in a changing climate
- A place to feel good – creating an environment which supports healthy lifestyles and well being
- A place for nature – creating an environment where nature can flourish

#### **The CSGN Partnership Board**

The Partnership Board consists of a chairperson and 11 members representing Forestry Commission Scotland; Scottish Natural Heritage; Scottish Enterprise; local authorities (No 4) with members drawn from Ayrshire, Glasgow/Clyde Valley, Forth Valley and from Lothians/Fife; and the remaining 4 members from other sectors such as health, development and the private sector.

#### **Strategic Enabling Milestones**

The strategic enabling milestones set out for the 3 years to 2015 are:

##### **1. Championing the Vision**

- Aspirations around the CSGN (and its benefits) have been raised in the Scottish Government and amongst the public sector – Years 1-3
- Communication plans have been delivered broadening understanding and encouraging wide engagement in the CSGN amongst target stakeholders – Years 1-3
- Flagship projects have been identified, supported and promoted – Years 1-3

##### **2. Establishing a supportive environment**

- The CSGN has been embedded in Strategic and Local Development Plans and is informing development planning and management decisions – Years 1 and 2

- Cross geographic and organisational boundary working has been encouraged and coordinated, and there is joined up action to address barriers and gaps in delivery – Years 1 and 2
- Scottish Government and its agencies have incorporated references to the creation of the CSGN into relevant policies and programmes – Years 1-3
- CSGN champions have been identified at a very senior level within public bodies and are seeking to ensure that capacity exists within these organisations to drive delivery of the CSGN from within each organisation – Years 2 and 3

### **3. Removing barriers**

- Detailed engagement has ensured that the next Scottish Rural Development Plan (SRDP2) reflects CSGN rural priorities within the CSGN area – Year 2
- Relevant programmes and funding sources include reference to Green Network objectives to support delivery of the next phase of the CSGN initiative – Year 3
- Changing practices are ensuring more effective management of publically owned green space and Green Network assets – Year 3

### Central Scotland Green Network: Local Authority Concordat

#### Declaration between North Ayrshire Council and CSGN

We acknowledge that:

- We must have places that are nationally and internationally competitive if we want our communities to thrive in the future
- Our environment makes a vital contribution to our economic well being, our health and our quality of life
- We need to improve our environment so that it delivers all that it can for the people who live and work in Central Scotland
- Change at the scale proposed can only take place over a long period with sustained resourcing

We welcome:

- The government's commitment to the CSGN as expressed through its inclusion as a national Development in Scotland's National Planning framework
- The CSGN concept as set out in the CSGN Vision
- The opportunity the creation of the CSGN provides to deliver our economic, social and environmental aims
- The opportunity to develop and enhance our partnerships with other Local Authorities, National Agencies, NGOs and communities in delivering CSGN ambitions

We commit from this date to:

- Adhere to the CSGN principles in the CSGN Vision
- Embed the CSGN in all relevant policies, strategies and plans – most notably in Single Outcome Agreements, Community Plans and Development Plans
- Develop and enhance our partnership work to realise the CSGN
- Develop and implement the Green Network across North Ayrshire
- Adopt and implement a revised Local Biodiversity Action Plan
- Implement the greening of the Core Path Network



### Funding Awards

#### *2010/2011*

Funding of £22,000 was awarded to Ayrshire Joint Planning Unit for the preparation and mapping of the Ayrshire Green Network and an Integrated Habitat Network. The mapping of habitat networks within Ayrshire supports the delivery of a national ecological network across Scotland in line with the NPF 2 Action Programme. It is hoped this research, when used alongside other commonly held data, will highlight the opportunities to improve the “connectivity” provided by existing habitats and encourage the development of a more integrated habitat network. This project has helped inform the emerging woodland strategy (see 2.8 below) and local biodiversity priorities and will help influence future land management practices.

Funding of £25,000 was also awarded towards the preparation of a strategy document for Irvine Bay Green Network and has been used to frame subsequent bids for CSGN funding.

#### *2011/2012*

Funds of £70,000 were awarded to the Irvine Bay Green Network and match funding provided by the Council and Irvine Bay Regeneration Company towards works at Irvine Beach Park, the New Town Trail and Ardeer Quarry. These works were implemented by the Council in partnership with Irvine Bay Regeneration Company and have improved the natural environment in the Irvine Bay including the provision of path upgrades, signage, interpretation and provision of outdoor gym equipment.

#### *2012/2013*

Funding of £36,000 was awarded to North Ayrshire Council for the Kilbirnie Green Network project to improve paths and open space. A further £27,000 was awarded to the Irvine Bay Green Network for improving the environment around business sites with the majority being spent at i3 (Irvine Innovation and Industry Park) for new tree planting, new paths and installation of outdoor gym equipment for people working in the business park. Some £2,000 is to be spent improving a high profile, derelict site at Ardrossan Harbour.

#### *Woodland Strategy*

Ayrshire’s first strategy for woodland expansion and management was published in 2003. The three Ayrshire Councils have agreed that the 2003 Strategy should be reviewed to reflect changes in the development plans system, the designation of the Central Scotland Green Network and in response to Climate Change and fragmentation of natural habitats. The review commenced in August 2011 under a partnership arrangement. The Draft Strategy document (with CSGN funding of

£30,000) is an important component of developing a future green network within Ayrshire and in the management of existing woodlands and the development of new woodlands and associated infrastructure. In addition, it will advise how future investment in woodland planting can be directed to secure the greatest economic, environmental and social benefit.

#### *CSGN Co-ordinator*

Financial assistance of £100,000 from the Forestry Commission and SNH to support the Ayrshire & Arran Green Network Partnership has also been awarded with provision made for the creation of a new CSGN co-ordinator post (for 2 years) based in the Ayrshire Joint Planning Unit offices.



---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 11**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **Asset Management Plans Update on progress**

---

**Purpose:** To advise the Cabinet of progress in the implementation of the Council's Asset Management Action Plans.

---

**Recommendation:** That the Cabinet notes progress to date implementing the Asset Management Action Plans.

---

#### **1. Introduction**

1.1 Since 2011/12 the Council has been developing its approach to ensure a more robust approach to managing its core assets.

1.2 The previous Executive approved the corporate asset management strategy on 29 March 2011. The Strategy represented an overarching plan for all of the Council's assets. In February 2012, the Executive approved the six themed asset management plans, covering :

Property  
Roads  
Housing  
Open Space  
Fleet  
ICT

1.3 Each of the six plans includes a description and valuation of the assets and how they align with Council and Community Plan objectives; an assessment of future demand; current Service and performance levels, including condition, suitability and sufficiency; historic and planned investment; and key risks. Each plan also has an Action Plan to ensure continued development of the Council's approach to its core assets.

#### **2. Current Position**

2.1 The six Action Plans are subject to regular review and reporting to the Corporate Programme and Assets Group (CPAG). A progress report on each Action Plan is attached at Appendix A.

- 2.2 In general, good progress is being made across each asset type, although some actions have fallen behind target. Summary comments for each asset plan are noted below.

### Property

- 2.3 Delivering the Property Asset Action Plan within existing resources has been challenging. To ensure the Council's investment plans are aligned to its strategic asset plans, additional resources have been allocated to the team to drive forward the Plan and develop the core asset management system and key management information.
- 2.4 The plan has 6 key actions, and a number of subordinate activities, of the key actions, 2 are off target with some slippage reported in others. The 2 initiative off target are the development of the key management information system and the updating of condition surveys; although upgrading of the core management information system has commenced, the scale of the task is such that this will continue into 2013/14; a new survey programme had been expected to commence earlier this year, there has been a delay in the selection of the new contractor, as such this work will commence later this year and continue into 2013/14.
- 2.5 Good progress is being made in the consolidation of the area reviews which had been conducted previously, with the work at Bridgegate being well underway. Discussions have taken place with the chair and other participants of the Pan Ayrshire Property Group to establish a more proactive approach to progressing partnership opportunities, this work will align with the work being progressed by the CPP RIPE group. A key output of the asset plan is the alignment of property assets with future Service needs, meetings have taken place / are scheduled to take place to review need and develop the Council's longer term property investment plan. The strategy for the disposal of surplus assets is behind schedule but is expected to be available to inform the Council's longer term investment plan.
- 2.6 Property asset management is a key initiative of the Scottish Futures Trust (SFT). A meeting which took place with the SFT confirmed the work being undertaken at North Ayrshire reflects best practice and aligns with the national programme. Some opportunities for partnership working were identified.

## Roads

- 2.7 A national Roads Asset Management Planning Project is currently providing all 32 Councils (plus Transport Scotland) with a consistent and robust approach to the preparation and use of the Roads asset plans, including life cycle and whole life cost planning. This is also reflected in the National Road Maintenance Review. In developing the Council's approach to its roads and associated assets the Council requires to align with the work which is taking place at a national level.
- 2.8 In addition to the core Roads asset management plan, the Service is developing its approach to other core assets including carriage ways, footways, lighting and structures, these plans are monitored by the Service. Within the Roads Action Plan, there are 13 actions, of which 2 are off target. The asset plan brings together all of the road related assets, their known condition data, and details of historic investment and maintenance work, this work will continue into 2013/14. A prioritisation matrix is now fully developed and allows competing demands to be ranked based on a range of operational factors, to ensure funding is invested most effectively. A road investment strategy is being finalised to provide a robust planning tool to allow long term investment planning. However a related area of work, to develop quality procedures for the risk assessment for defects and recording asset growth, are outstanding.
- 2.9 The Roads Plan also refers to non-adopted road assets (in housing areas, car parks, footpaths, slipways, etc.) currently managed by other services of the Council. The condition and location of these is currently being determined and will be incorporated into the Plan in due course.
- 2.10 Work to link customer feedback and comment to operational service delivery, has yet to be established and action has been taken to bring this back on target.

## Housing

- 2.11 The Housing asset plan is closely aligned to the Housing Business Plan and Standard Delivery Plan. Overall asset planning in Housing remains very good. The action plan has 9 actions, of the 4 that are off target, 3 are anticipated to deliver imminently.
- 2.12 The APEX asset management system is almost fully populated and can now support the investment decisions made in relation to the Council's housing stock, with comprehensive and robust information, including condition and survey data on all Council homes. This ensures that investment decisions are well-informed and priority driven.

- 2.13 A revised standard delivery plan has now been drafted. It is expected that this will be considered by Members later this year.
- 2.14 A Housing asbestos plan has been developed and is in the final stages of consultation.
- 2.15 A Housing Risk Register is being developed and is now expected to be complete by the end of October.

#### Open Space

- 2.16 The Council provides over 2410 hectares of public open space, including parks, cemeteries, civic spaces, woodlands, sports pitches, equipped play areas, promenades and beaches. In the action plan there are 11 actions, 2 of which missed the target date pending formation of the new policy boards.
- 2.17 A tree and woodland management policy and a water safety policy were presented to the Environment and Infrastructure Policy Board on 3 September 2012.

#### Fleet

- 2.18 The Council operates a wide range of vehicles and plant with a value of £17.88m to support the delivery of front line services. The action plan has 15 actions all of which are currently on target.
- 2.19 The management of all vehicles, plant and equipment are being brought together during 2012 through the development of a Transport Hub. This, together with the outputs from the Vehicle Tracking software, will significantly improve the planning of our fleet assets and is anticipated to result in a rationalisation of the current fleet.

#### ICT

- 2.20 The Council's ICT assets are valued at some £8.6m with over £1m required for annual support contracts and rental costs. In the action plan, there are 7 actions, 1 of which has slipped target from August 2012 to March 2013.
- 2.21 An investment programme for ICT is underway to ensure assets are future proofed and to mitigate any compatibility issues. The asset plan is ensuring that new assets are sustainable and affordable for their whole life.

- 2.22 ICT assets and resources are not managed corporately. This is a key action to ensure the Council has a single view of its ICT assets.

### Governance

- 2.23 The Capital Programme and Assets Group (CPAG) has the lead corporate role in investment planning and delivery of the Corporate Asset Management Strategy, and monitoring progress in the delivery of the asset plans. A cross-service Strategic Property Group (SPG) has been established to ensure a corporate approach to property management and to take forward the property asset plan.

## **3. Proposals**

- 3.1 It is proposed that the Cabinet notes the progress to date in implementing the six themed Asset Management Plans.
- 3.2 The themed asset plans will form the basis of the investment discussions for the budget process in 2013/14 onwards.
- 3.3 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. Examples are public artwork features, slipways, some non-adopted car parks etc.
- 3.4 Further work is still required to develop links with community partners, to seek opportunities to collaborate around asset planning in the future.

## **4. Implications**

### Financial Implications

- 4.1 The implementation and ongoing development of the Asset Plans will demonstrate sound management of all of the Council's assets and will result, over time, in more effective investment decisions. All assets will be subject to a transparent prioritisation process to ensure effective targeting of resources.
- 4.2 At present, the Plans reflect investment needs over the next three to five years. A 10 year investment plan is being developed.

#### Human Resource Implications

- 4.3 There are no direct HR implications.

#### Legal Implications

- 4.4 There are no direct legal implications.

#### Equality Implications

- 4.5 There are no equality implications.

#### Environmental Implications

- 4.6 There are no direct environmental implications.

#### Implications for Key Priorities

- 4.7 Robust asset planning will contribute towards the following SOA outcomes:

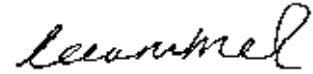
- 10a The quality of social housing has improved;
- 10c The condition of roads, footways, path networks and lighting has improved;
- 11b Partnership working between the public, community and voluntary sector has improved;
- 12a Our environment is protected and enhanced;
- 15b Public services are more efficient and effective.

### **5. Consultations**

- 5.1 All services of the Council continue to be fully engaged in the implementation of the Asset Management Plans.
- 5.2 As the Plans are implemented, opportunities for joint working are being sought for with community partners, other local authorities and the Scottish Futures Trust.

## **6. Conclusion**

- 6.1 Good progress is being made in the implementation of asset management across all services of the Council. Progress is actively managed and by CPAG.



LAURA FRIEL  
Corporate Director (Finance and Infrastructure)

Reference : AB/II

For further information please contact Angus Bodie on 01294 225211

## **Background Papers**


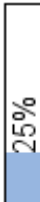
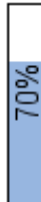
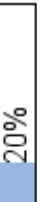

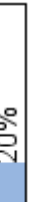






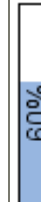

none








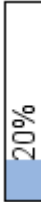


















## **Property Asset Management Plan - Summary of Progress against actions**








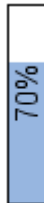

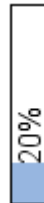


Action Code	Action Description	Progress
PAMP_A01	Consolidate and conclude all recent property reviews including; the 3 Towns Area review, Garnock Property Review, Irvine Property, OFWE	<div><div></div></div> 46%
PAMP_A01a	Submit a summary report to CPAG detailing the outstanding projects with recommendations on their future viability and costs implications.	<div><div></div></div> 70%
PAMP_A01b	Carry out a property review of the North Coast area	<div><div></div></div> 20%
PAMP_A01c	Number of offices will be reduced through the area reviews. Refurbishment of Bridgegate and works at Cunningham House will incorporate flexible working and greater use of technology which will reduce space requirements.	<div><div></div></div> 50%
PAMP_A02	Explore Partnership opportunities	<div><div></div></div> 70%
PAMP_A02a	Explore and report on any opportunities for joint working which may emerge from the Ayrshire Public Sector property group.	<div><div></div></div> 50%
PAMP_A02b	Continue to develop the shared GIS mapping database with our community partners in NHS, Police, and Fire.	<div><div></div></div> 90%
PAMP_A03	Review and consolidate property related working groups	<div><div></div></div> 50%
PAMP_A03a	Review remits and membership of all existing groups e.g. School Estate Management Plan, Community Centres and Libraries reviews, Social Services draft property plan, draft Accommodation strategy.	<div><div></div></div> 50%
PAMP_A04	Review property needs of all Services.	<div><div></div></div> 44%
PAMP_A04a	Establish property requirements and needs of each Service.	<div><div></div></div> 20%
PAMP_A04b	Review of all red / amber properties to assess actions and financial implications of addressing	<div><div></div></div> 45%

	condition, suitability and sufficiency issues.	
PAMP_A04c	A review of leased premises will be carried out and a plan established for the release of properties no longer needed for Service delivery.	
PAMP_A04d	Review of the industrial portfolio by the Head of Economic Development in conjunction with Estates.	
PAMP_A04e	Review of community type assets which are under-utilised by the Council in accordance with the Council's Community Asset Transfer Policy.	
PAMP_A05	Review of core property management information	
PAMP_A05a	Implement the K2 upgrade to the existing asset management software on a module-by-module basis.	
PAMP_A05b	Re-tender condition survey contract. Analyse new surveys and report on the required total spend and priority spend to inform capital and revenue investment programmes.	
PAMP_A05c	Identify and report corporately on all property running costs. Review and improve data on capital and revenue investment across all	
PAMP_A05d	Establish a robust framework and criteria for prioritising property investment.	
PAMP_A05e	Establish performance indicators which are clear and specific. Set appropriate targets to measure performance. Agree hierarchy and timescales for reporting.	
PAMP_A05f	Identify the Council's benchmarking partners. Analyse and report indicators or targets set by other agencies which may benefit or improve the Council's performance.	
PAMP_A06	Options Appraisal on disposal of surplus assets	
PAMP_A06a	Develop Investment Business Case to include options appraisal of alternative design models and lifecycle costs.	
PAMP_A06b	Analyse the condition survey data in the Tribal System. Develop a planned maintenance programme to reduce the level of reactive maintenance required in future years.	
PAMP_A06c	Develop Corporate Landlord Model to allow decisions to be taken corporately.	







## Property Asset Management Plan - Detailed Information against all actions

Code	Description	Expected Outcome	Progress Bar	Note	Due Date	Managed By	Assigned To
PAMP_A01	Consolidate and conclude all recent property reviews including; the 3 Towns Area review, Garnock Property Review, Irvine Property, OFWE			<b>September 2012 - General Update</b> Strategic Property Group of May 2012 considered consolidated table of previous reviews and will now continue with rationalisation proposals picking up previous incomplete actions and new actions. Consolidated plan will be updated at every SPG meeting.	31-Mar-2013	Angus Bodie	Tom Burns
PAMP_A01a	Submit a summary report to CPAG detailing the outstanding projects with recommendations on their future viability and costs implications.			<b>September 2012 - General Update</b> Strategic Property Group of May 2012 considered consolidated table of previous reviews and will now continue with rationalisation proposals picking up previous incomplete actions and new actions. Consolidated plan will be updated at every SPG meeting. This will be complete by October 2012.	30-Sep-2012	Angus Bodie	Tom Burns
PAMP_A01b	Carry out a property review of the North Coast area			<b>September 2012 - General Update</b> This is a new action following on from PAMP_A01a. Carry out area review for North Coast Area	30-Sep-2012	Angus Bodie	Tom Burns
PAMP_A01c	Number of offices will be reduced through the area reviews. Refurbishment of Bridgegate and works at Cunningham House will incorporate flexible working and greater use of technology which will reduce space requirements.			<b>September 2012 - General Update</b> Bridgegate refurbishment commenced, to be completed June 2013. Working Group for the overall proposals for Cunningham House masterplan to be formed, September 2012, proposals to be finalised November 2012. Work in progress to develop the Council's approach to agile working via the Bridgegate refurbishment.	31-Mar-2013	Angus Bodie	Tom Burns

PAMP_A02	Explore Partnership opportunities			<b>September 2012 - General Update</b> Ayrshire Public Service Common Accommodation Strategy approved by Joint Working Board.	31-Dec-2012	Angus Bodie	Tom Burns
PAMP_A02a	Explore and report on any opportunities for joint working which may emerge from the Ayrshire Public Sector property group.			<b>September 2012 - General Update</b> Meetings have been arranged with NHS Ayrshire and Arran using GIS maps to facilitate a more proactive approach to identify opportunities for co-location.	31-Dec-2012	Angus Bodie	Tom Burns
PAMP_A02b	Continue to develop the shared GIS mapping database with our community partners in NHS, Police, and Fire.			<b>September 2012 - General Update</b> Both Council and NHS assets are mapped on a GIS layer. It is intended that other public bodies are mapped onto this layer.	31-Dec-2012	Angus Bodie	Tom Burns
PAMP_A03	Review and consolidate property related working groups			<b>September 2012 - General Update</b> SPG members to provide information on working groups, strategies, plans etc. It is anticipated that this will be completed by 31 December 2012.	30-Jun-2012	Angus Bodie	Tom Burns
PAMP_A03a	Review remits and membership of all existing groups e.g. School Estate Management Plan, Community Centres and Libraries reviews, Social Services draft property plan, draft Accommodation strategy.			<b>September 2012 - General Update</b> SPG members to provide information on working groups, strategies, plans etc. It is anticipated that this will be completed by 31 December 2012.	30-Jun-2012	Angus Bodie	Tom Burns
PAMP_A04	Review property needs of all Services.			<b>September 2012 - General Update</b> Schools consolidation proposals being developed. Depot rationalisation proposals are currently being explored. Individual meetings with service leads to be held in September.	31-Mar-2013	Angus Bodie	Tom Burns
PAMP_A04a	Establish property requirements and needs of each Service.			<b>September 2012/13 - General Update</b> Reviews are being undertaken with all Services regarding their future property requirements.	30-Sep-2012	Angus Bodie	Tom Burns

PAMP_A04b	Review of all red / amber properties to assess actions and financial implications of addressing condition, suitability and sufficiency issues.			<b>September 2012 - General Update</b> More work required to forge strong link between asset information, investment planning and Service needs. Work is nearing completion on detailed property cost information (Action Point 5).	30-Dec-2012	Angus Bodie	Tom Burns
PAMP_A04c	A review of leased premises will be carried out and a plan established for the release of properties no longer needed for Service delivery.			<b>September 2012 - General Update</b> Services considering proposals to vacate leased premise and report to SPG. IDS to prepare combined report. Reviews still ongoing with Services. It is anticipated that this will be completed by 31 November 2012.	31-Jul-2012	Angus Bodie	Tom Burns
PAMP_A04d	Review of the industrial portfolio by the Head of Economic Development in conjunction with Estates.			<b>September 2012 - General Update</b> Initial report from Economic Development has identified a need for a comprehensive review. It is anticipated that this will be completed by 31 December 2012.	30-Sep-2012	Angus Bodie	Tom Burns
PAMP_A04e	Review of community type assets which are under-utilised by the Council in accordance with the Council's Community Asset Transfer Policy.			<b>September 2012 - General Update</b> Community Capacity Building group formed to ensure assets will be managed appropriately. Transfer Policy to be revised by December 2012. E&S led Community Asset Transfer Working Group formed May 2012. Alex Kirk meeting with Head of Community & Culture in September to consider proactive approach to Community Transfer	31-Dec-2012	Angus Bodie	Tom Burns
PAMP_A05	Review of core property management information			<b>September 2012 - General Update</b> Collation of all property data including running costs and space usage is being undertaken. Additional staff resources are being allocated to assist with this task.	31-Mar-2013	Angus Bodie	Tom Burns
PAMP_A05a	Implement the K2 upgrade to the existing asset management software on a module-by-module basis.			<b>September 2012 - General Update</b> K2 implementation project is underway. Reactive maintenance and asbestos modules to be live by March 2013. All modules including web portal to be implemented by the end of	31-Dec-2012	Angus Bodie	Tom Burns



					timelines and milestones in terms of future disposals.				
PAMP_A06a	Develop Investment Business Case to include options appraisal of alternative design models and lifecycle costs.				<b>September 2012 General Update</b> Awaiting condition survey data ISSYS software pilot being undertaken. Design & Property have software for planning lifecycle costing. Needs to be implemented in business cases.	31-Mar-2013	Angus Bodie	Tom Burns	
PAMP_A06b	Analyse the condition survey data in the Tribal System. Develop a planned maintenance programme to reduce the level of reactive maintenance required in future years.				<b>September 2012 General Update</b> Pilot exercise in expenditure planning taken place, RAG status developed . Review of reporting capability of K2 being undertaken. It is anticipated that this will be completed by September 2013.	31-Mar-2012	Angus Bodie	Tom Burns	
PAMP_A06c	Develop Corporate Landlord Model to allow decisions to be taken corporately.				<b>September 2012 General Update</b> Project Board and Working Group finalising proposals, supported by iMpower.	31-Oct-2012	Angus Bodie	Tom Burns	










## Roads Asset Management Plan - Summary of Progress against Actions








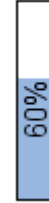








### Objective Roads Improvement Plan

Action Code	Action Description	Progress
ROAD_A01	Completion of Inventory data collection for Road Markings, Carriageway and Footway surface types	<div><div></div></div> 30%
ROAD_A02	Identify responsibility for collection of data for road assets where maintenance responsibility lies with other NAC Services.	<div><div></div></div> 0%
ROAD_A03	Develop a process to analyse customer enquiries and service requests	<div><div></div></div> 15%
ROAD_A04	Improve format of contract specific customer questionnaires to ensure responses are relevant to the Roads Service	<div><div></div></div> 10%
ROAD_A05	Establish a link between customer feedback and service delivery	<div><div></div></div> 0%
ROAD_A06	Collect traffic count information on the Island of Arran	<div><div></div></div> 30%
ROAD_A07	Undertake traffic counts to assess deterioration due to levels of HGV traffic on rural roads	<div><div></div></div> 0%
ROAD_A08	Develop a formal method of establishing levels of service	<div><div></div></div> 0%
ROAD_A09	Establish clear links between investment and performance	<div><div></div></div> 60%
ROAD_A10	Review cost allocations to allow financial information on an asset basis to be easily extracted	<div><div></div></div> 100%
ROAD_A11	Produce long term funding estimations	<div><div></div></div> 50%
ROAD_A12	To further develop risk assessment matrices	<div><div></div></div> 50%
ROAD_A13	Develop a specific risk register for road assets	<div><div></div></div> 95%



## Roads Asset Management Plan - Detailed Information against all actions







Code	Description	Expected Outcome	Progress Bar	Latest Note	Due Date	Managed By	Assigned To
ROAD_A01	Completion of Inventory data collection for Road Markings, Carriageway and Footway surface types			<b>September 2012 - General Update</b> Date Revised. Road marking information is now complete and recorded in GIS. Surface type information collection will commence August 2012. The anticipated completion date is 31 August 2013.	31-Mar-2013	Angus Bodie	Susan MacFadyen
ROAD_A02	Identify responsibility for collection of data for road assets where maintenance responsibility lies with other NAC Services.			<b>September 2012 - General Update</b> Capital Programme and Asset Group to advise.	31-Mar-2013	Angus Bodie	Susan MacFadyen
ROAD_A03	Develop a process to analyse customer enquiries and service requests			<b>September 2012 - General Update</b> Revised target date, work is in progress, IT are working with WDM to build the interface with Lagan. Liaison is ongoing between IDS Roads and the Call Centre to ensure meaningful information regarding enquiries and service requests can be extracted once fully operational. Anticipated completion date 30 April 2013.	30-Jun-2012	Angus Bodie	Susan MacFadyen
ROAD_A04	Improve format of contract specific customer questionnaires to ensure responses are relevant to the Roads Service			<b>September 2012 - General Update</b> Revised target date. A review of responses to date will be undertaken and amendments made to questionnaire format as required. Anticipated completion date 30 November 2012.	30-Sep-2012	Angus Bodie	Susan MacFadyen
ROAD_A05	Establish a link between customer feedback and service delivery			<b>September 2012 - General Update</b> Analysis of responses to be undertaken and reported on a 6 monthly basis to Assistant Network Manager.	30-Sep-2012	Angus Bodie	Susan MacFadyen













ROAD_A06	Collect traffic count information on the Island of Arran			<b>September 2012 - General Update</b> Traffic counts have commenced at 5 sites on Arran. A full year of data will be available by March 2013 that will allow analysis to be undertaken.	31-Mar-2013	Angus Bodie	Susan MacFadyen
ROAD_A07	Undertake traffic counts to assess deterioration due to levels of HGV traffic on rural roads			<b>September 2012 - General Update</b> Additional traffic counts to be arranged for the rural road network to supplement the existing long term monitoring data.	30-Apr-2014	Angus Bodie	Susan MacFadyen
ROAD_A08	Develop a formal method of establishing levels of service			<b>September 2012 - General Update</b> TBC Following implementation of Roads Investment Plan	31-Mar-2013	Angus Bodie	Susan MacFadyen
ROAD_A09	Establish clear links between investment and performance			<b>September 2012 - General Update</b> The use of the SCOTS financial tools will enable clear links to be established. Carriageway and lighting tools have been issued, awaiting completion of the footway and structures financial tools.	31-Mar-2013	Angus Bodie	Susan MacFadyen
ROAD_A10	Review cost allocations to allow financial information on an asset basis to be easily extracted			<b>September 2012 - General Update</b> Cost allocations Reviewed to allow financial information on an asset basis to be easily extracted.	30-Apr-2013	Angus Bodie	Susan MacFadyen
ROAD_A11	Produce long term funding estimations			<b>September 2012 - General Update</b> SCOTS financial models recently issued, further work still required.	31-Mar-2013		Susan MacFadyen
ROAD_A12	To further develop risk assessment matrices			<b>September 2012 - General Update</b> Revised target date. Lighting – this will be developed as conversion to WDM system is completed. Structures – to be developed. Anticipated completion date 30 November 2012.	30-Sep-2012	Angus Bodie	Susan MacFadyen
ROAD_A13	Develop a specific risk register for road assets			<b>September 2012 - General Update</b> Revised completion date, currently in progress. Anticipated completion date 30 November 2012.	31-Mar-2012	Angus Bodie	Susan MacFadyen

## **Housing Asset Management Plan - Summary of Progress against actions**

Action Code	Action Description	Progress
HAMP_A01	Develop and implement an Asset Management Plan and Action Plan based on SMART principles for our housing stock, sheltered housing units, garages/lock-up and shops.	<div><div>100%</div></div>
HAMP_A02	Identify an IT strategy detailing how the systems responsible for storing data on the Council Housing Stock integrate and link with each other	<div><div>40%</div></div>
HAMP_A03	Ensure that the information from stock condition surveys is comprehensive and is relevant.	<div><div>95%</div></div>
HAMP_A04	Monitor and manage programmes of works against SHQS.	<div><div>95%</div></div>
HAMP_A05	Produce new Standard Delivery Plan.	<div><div>85%</div></div>
HAMP_A06	Develop housing asbestos policy and management plan in consultation with Corporate H&S, Housing Services and residents.	<div><div>90%</div></div>
HAMP_A07	Increase the number Management/Type 2 asbestos surveys being carried out.	<div><div>100%</div></div>
HAMP_A08	Introduce and develop a performance management culture.	<div><div>100%</div></div>
HAMP_A09	Develop risk management and create a risk register.	<div><div>50%</div></div>

## Housing Asset Management Plan - Detailed Information against all actions




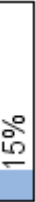





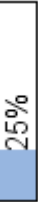


Code	Description	Expected Outcome	Progress Bar	Note	Due Date	Managed By	Assigned To
HAMP_A01	Develop and implement an Asset Management Plan and Action Plan based on SMART principles for our housing stock, sheltered housing units, garages/lock-up and shops.			<b>September 2012 - General Update</b> Asset Management Strategy approved. Document to be continually reviewed and progress monitored.	31-Mar-2012	Angus Bodie	Ian Cathcart
HAMP_A02	Identify an IT strategy detailing how the systems responsible for storing data on the Council Housing Stock integrate and link with each other			<b>September 2012 - General Update</b> Development ongoing and is dependent on the IT requirements and solution associated with the procedural changes taking place within Building Services.	30-Jun-2012	Angus Bodie	Ian Cathcart
HAMP_A03	Ensure that the information from stock condition surveys is comprehensive and is relevant.			<b>September 2012 - General Update</b> 97% of houses have now been surveyed. An assessment on the condition of each dwelling has been made against SHQS compliance and component life-cycle replacement requirements. This information is now held on the housing stock asset management system (Apex).  The remaining 3% of data relates to hard-to-access properties, where access has not been possible. Data relating to these properties is in the process of being cloned  In order to implement a structured asset management approach, future works will be structured around the stock condition data now available.	30-Sep-2012	Angus Bodie	Ian Cathcart











HAMP_A04	Monitor and manage programmes of works against SHQS.			<b>September 2012 - General Update</b> Capital works that are currently ongoing will ensure the target rate of 85% SHQS compliance for 2012/13, will be met within the scheduled timetable.	31-Mar-2013	Angus Bodie	Ian Cathcart
HAMP_A05	Produce new Standard Delivery Plan.			<b>September 2012 - General Update</b> Draft Standard Delivery Plan complete and passed to Housing Services for comment and review. Anticipated completion date 30 September 2012.	30-Jun-2012	Angus Bodie	Ian Cathcart
HAMP_A06	Develop housing asbestos policy and management plan in consultation with Corporate H&S, Housing Services and residents.			<b>September 2012 - General Update</b> Policy and Plan prepared by Corporate H&S and is scheduled to go to Cabinet during September 2012.	31-May-2012	Angus Bodie	Ian Cathcart
HAMP_A07	Increase the number Management/Type 2 asbestos surveys being carried out.			<b>September 2012 - General Update</b> All relevant management survey data now collected.	30-Nov-2012	Angus Bodie	Ian Cathcart
HAMP_A08	Introduce and develop a performance management culture.			<b>September 2012 - General Update</b> Performance indicator framework developed and all relevant information is recorded, monitored and reviewed on a monthly basis.	30-Apr-2012	Angus Bodie	Ian Cathcart
HAMP_A09	Develop risk management and create a risk register.			<b>September 2012 - General Update</b> Proposals developed to implement risk management techniques within individual projects. Departmental risk register to be drafted by November 2012.	30-Jun-2012	Angus Bodie	Ian Cathcart

## **Open Spaces Asset Management Plan - Summary of progress against actions**

Action Code	Action Description	Progress
OSAMP_A01	Finalise Local Development Plan.	<div><div></div></div> 0%
OSAMP_A02	Complete audit of Open Space and prepare a strategy for adoption.	<div><div></div></div> 15%
OSAMP_A03	Expand the range of 'friends' groups to empower communities in the management of open spaces.	<div><div></div></div> 50%
OSAMP_A04	Review and develop an action plan to improve information promoting Open Space.	<div><div></div></div> 50%
OSAMP_A05	Establish burial space within cemeteries on Arran.	<div><div></div></div> 25%
OSAMP_A06	Devise a Tree and Woodland Management Policy	<div><div></div></div> 100%
OSAMP_A07	Place Streetscene maintenance schedules on the Council's website.	<div><div></div></div> 50%
OSAMP_A08	Complete service level agreements (SLA's) in respect maintenance.	<div><div></div></div> 70%
OSAMP_A09	Review and update water safety policy.	<div><div></div></div> 100%
OSAMP_A10	Devise and implement an inspection programme for decorative lighting units.	<div><div></div></div> 50%
OSAMP_A11	Digitally map all assets.	<div><div></div></div> 30%

## Open Spaces Asset Management Plan - Detailed Information against actions

Code	Description	Expected Outcome	Progress Bar	Note	Due Date	Managed By	Assigned To
OSAMP_A01	Finalise Local Development Plan.			<b>September 2012 - General Update</b> Examination of the Local Development Plan is anticipated to commence in February 2013, with adoption following in Autumn 2013.	31-Oct-2013	Craig Hatton	Donald Wilson
OSAMP_A02	Complete audit of Open Space and prepare a strategy for adoption.			<b>September 2012 - General Update</b> The Streetscene Manager is currently drafting an invitation to tender to enable completion of this task.	31-Mar-2013	Craig Hatton	Donald Wilson
OSAMP_A03	Expand the range of 'friends' groups to empower communities in the management of open spaces.			<b>September 2012 - General Update</b> The range of 'friends' groups has been expanded. Groups have been established at Ardeer, Holm Plantation and Spiers.	31-Oct-2014	Craig Hatton	Donald Wilson
OSAMP_A04	Review and develop an action plan to improve information promoting Open Space.			<b>September 2012 - General Update</b> The Streetscene Manager is currently working with the Access Officer to promote information, it is anticipated that this will be completed by mid October 2012. To date the Access Officer and URC have installed new signage within Irvine Beach Park.	31-Oct-2012	Craig Hatton	Donald Wilson
OSAMP_A05	Establish burial space within cemeteries on Arran.			<b>September 2012 - General Update</b> Consultants have been appointed and the work will be undertaken in September 2012. A final report on burial space will be completed by 31 October 2012.	30-Sep-2012	Craig Hatton	Donald Wilson
OSAMP_A06	Devise a Tree and Woodland Management Policy			<b>September 2012 - General Update</b> The Tree and Woodland Management Policy has been completed and this has been presented to the Policy Board on 4 September 2012.	30-Apr-2012	Craig Hatton	Donald Wilson










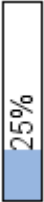
OSAMP_A07	Place Streetscene maintenance schedules on the Council's website.			<b>September 2012 - General Update</b> Maintenance schedules have been established for all geographical areas and it is planned that they will be uploaded to the website by 28 September 2012.	30-Sep-2012	Craig Hatton	Donald Wilson
OSAMP_A08	Complete service level agreements (SLA's) in respect maintenance.			<b>September 2012 - General Update</b> Consultation has been carried out with all the Housing Service Managers. Streetscene are currently digitising GIS changes to landscaped areas. The mapping work is nearing completion. It is envisaged that the 1st SLA will be provided to Housing Services in September 2012.	31-Mar-2013	Craig Hatton	Donald Wilson
OSAMP_A09	Review and update water safety policy.			<b>September 2012 - General Update</b> The Water Safety Policy has been reviewed and was presented to the Policy Board on 4 September 2012.	30-Jun-2012	Craig Hatton	Donald Wilson
OSAMP_A10	Devise and implement an inspection programme for decorative lighting units.			<b>September 2012 - General Update</b> The inspection programme for decorative lighting units is in the process of being developed and will be completed by 28 September 2012.	30-Sep-2012	Craig Hatton	Donald Wilson
OSAMP_A11	Digitally map all assets.			<b>September 2012 - General Update</b> Work has commenced on digitally mapping all assets. All litter and dog bins have been digitally mapped and work is progressing on War Memorials, Sports Pitches and Equipped Play Areas.	31-Dec-2012	Craig Hatton	Donald Wilson




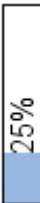

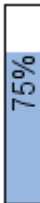




## **Fleet Asset Management Plan - Summary of Progress against actions**

Action Code	Action Description	Progress
FAMP_A01	Review the use of externally hired vehicles.	<div><div></div></div> 80%
FAMP_A02	Complete the exercise to inspect and record all items of plant across ERS.	<div><div></div></div> 100%
FAMP_A03	Determine replacement value of the plant assets.	<div><div></div></div> 80%
FAMP_A04	Procure a vehicle tracking and routing system to facilitate efficient use of assets.	<div><div></div></div> 100%
FAMP_A05	Develop and implement the Corporate Transport Hub.	<div><div></div></div> 25%
FAMP_A06	Support service reviews that utilise transport.	<div><div></div></div> 50%
FAMP_A07	Agree planned maintenance and inspection programme for all items of plant.	<div><div></div></div> 100%
FAMP_A08	Procure all replacement vehicles with the latest European emission standard (Euro 5).	<div><div></div></div> 50%
FAMP_A09	Evaluate alternative and hybrid powered vehicles and where appropriate utilise within the replacement programme.	<div><div></div></div> 50%
FAMP_A10	Upgrade the fleet management system to provide an effective fleet management tool.	<div><div></div></div> 100%
FAMP_A11	Complete Service Level Agreements (SLA's) with service users.	<div><div></div></div> 70%
FAMP_A12	Determine future vehicle replacement programme and funding requirement as part of the transport hub.	<div><div></div></div> 25%
FAMP_A13	Establish plant replacement plan and appropriate finance mechanism.	<div><div></div></div> 75%
FAMP_A14	Review the method of purchasing and financing vehicles.	<div><div></div></div> 0%
FAMP_A15	Update the Council's Fleet Asset Management Plan	<div><div></div></div> 40%

## **Fleet Asset Management Plan - Detailed Information against all actions**

Code	Description	Expected Outcome	Progress Bar	Note	Due Date	Managed By	Assigned To
FAMP_A01	Review the use of externally hired vehicles.			<b>September 2012 - General Update</b> Transport have taken on the corporate responsibility for all external vehicle and plant hire. All external hires are now sourced, utilising the Scotland Excel framework and recorded on the Fleet Management System. All short term hire requests are scrutinised and pool vehicles are used if possible. All long term hires are being reviewed and exchanged for suitable surplus fleet vehicles.	31-Dec-2012	Craig Hatton	Gordon Mitchell
FAMP_A02	Complete the exercise to inspect and record all items of plant across ERS.			<b>September 2012 - General Update</b> All items of plant across ERS have been inspected and recorded.	30-Apr-2013	Craig Hatton	Gordon Mitchell
FAMP_A03	Determine replacement value of the plant assets.			<b>September 2012 - General Update</b> All Streetscene and Cemeteries Plant has been identified and logged on the Fleet Management System, approximate replacement costs have been allocated to each piece of equipment. The next step is to identify the Roads and Building Services Plant.	30-Sep-2012	Craig Hatton	Gordon Mitchell
FAMP_A04	Procure a vehicle tracking and routing system to facilitate efficient use of assets.			<b>September 2012 - General Update</b> A vehicle tracking system has been procured with an installation programme due to commence in October 2012...	30-Jun-2012	Craig Hatton	Gordon Mitchell
FAMP_A05	Develop and implement the Corporate Transport Hub.			<b>September 2012 - General Update</b> A vehicle tracking and routing system has now been procured and approved by Cabinet. A pre contact meeting will be arranged to organise and manage the installation programme for the	31-Dec-2012	Craig Hatton	Gordon Mitchell




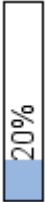




					system. The team are now moving into the phase 2 where they will look at the possible structure of the hub.				
FAMP_A06	Support service reviews that utilise transport.			<b>September 2012 - General Update</b> Transport Management continue to support service reviews, procuring more appropriate welfare buses for Social Services and modernisation of compact sweepers for Streetscene operations. Transport are currently working with roads for the replacement of winter maintenance vehicles.	31-Mar-2013	Craig Hatton	Gordon Mitchell		
FAMP_A07	Agree planned maintenance and inspection programme for all items of plant.			<b>September 2012 - General Update</b> Transport have carried out initial inspections of all plant items and are carrying out running repairs. Service intervals have been agreed at 250 hours for ride on mowers and tractors, the small petrol units will be inspected every 26 weeks.	30-Sep-2012	Craig Hatton	Gordon Mitchell		
FAMP_A08	Procure all replacement vehicles with the latest European emission standard (Euro 5).			<b>September 2012 - General Update</b> This action is a continuous process, Euro 5 is the minimum emission standard that will be procured when vehicles require replacing.	31-Mar-2013	Craig Hatton	Gordon Mitchell		
FAMP_A09	Evaluate alternative and hybrid powered vehicles and where appropriate utilise within the replacement programme.			<b>September 2012 - General Update</b> Transport are continually reviewing alternative fuelled vehicles currently available on the market with the possibility of matching suitability within the current fleet replacement programme.	31-Mar-2013	Craig Hatton	Gordon Mitchell		
FAMP_A10	Upgrade the fleet management system to provide an effective fleet management tool.			<b>September 2012 - General Update</b> The upgraded fleet management system was installed in March 2012.	31-Mar-2012	Craig Hatton	Gordon Mitchell		
FAMP_A11	Complete Service Level Agreements (SLA's) with service users.			<b>September 2012 - General Update</b> The fleet management system went live 30 August 2012. The next stage is to provide services with read only	31-Oct-2012	Craig Hatton	Gordon Mitchell		


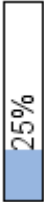




					access to the system. It is planned that the SLA's being developed will be in place by 31 October 2012.				
FAMP_A12	Determine future vehicle replacement programme and funding requirement as part of the transport hub.			25%	<b>September 2012 - General Update</b> This exercise will continue with the development of the transport hub, as maximising utilisation will increase mileage and wear on the vehicle fleet.	31-Mar-2013	Craig Hatton	Gordon Mitchell	
FAMP_A13	Establish plant replacement plan and appropriate finance mechanism.			75%	<b>September 2012 - General Update</b> Transport are working with all services to determine future needs and reviewing the current condition and suitability of the current plant fleet.	30-Sep-2012	Craig Hatton	Gordon Mitchell	
FAMP_A14	Review the method of purchasing and financing vehicles.			0%	<b>September 2012 - General Update</b> This action is not due yet.	31-Mar-2013	Craig Hatton	Gordon Mitchell	
FAMP_A15	Update the Council's Fleet Asset Management Plan			40%	<b>September 2012 - General Update</b> Transport management are continuing to review the actions and risks associated with the plan. Transport are also ensuring all fleet details are accurate and information is updated on a regular basis.	31-Mar-2013	Craig Hatton	Gordon Mitchell	

## **ICT Asset Management Plan - Summary of Progress against actions**

Action Code	Action Description	Progress
ICTAMAP_A01	Work with Education to review the identification and monitoring of their IT assets in schools and to consider centralising control within IT Services.	<div><div></div>20%</div>
ICTAMAP_A02	Review of IT licences across all services to consider centralising control within IT Services.	<div><div></div>20%</div>
ICTAMAP_A03	Review of Council IT Support contracts across all Services to consider centralising control within IT Services.	<div><div></div>30%</div>
ICTAMAP_A04	Undertake SOCITM benchmarking and develop and implement action plans	<div><div></div>1%</div>
ICTAMAP_A05	Develop roadmaps and replacement plans for ICT assets in line with the ICT Strategy	<div><div></div>25%</div>
ICTAMAP_A06	Key Servers and Comms equipment assets are managed through 3 Year Maintenance contracts which will be reviewed and renewed as appropriate through competitive tendering	<div><div></div>30%</div>
ICTAMAP_A07	Carry out regular analysis of IT support and maintenance contracts	<div><div></div>30%</div>

## ICT Asset Management Plan - Detailed Information against all actions

Code	Description	Expected Outcome	Progress Bar	Note	Due Date	Managed By	Assigned To
ICTAMAP_A01	Work with Education to review the identification and monitoring of their IT assets in schools and to consider centralising control within IT Services.			<b>September 2012 Update -</b> Education & Skills have prepared a questionnaire for issue to all schools to enable the collation and review of all IT Asset Management processes and procedures. The outcome of the review will allow next steps to be decided. The outcome of the review has been postponed to December 2012 due to school holidays and the need to consult with school staff. The original target date of August 2012 was to initiate the review.	31-Aug-2012	Alan Blakely	Iain Chisholm
ICTAMAP_A02	Review of IT licences across all services to consider centralising control within IT Services.			<b>September 2012 Update -</b> MS Enterprise Licence will progress the centralising of Microsoft Windows and Office Licences. There is an excess of Lotus Notes licences due to a reduction in staff numbers so review of these should be considered as a priority.	31-Mar-2013	Alan Blakely	Iain Chisholm; Lorna Morley
ICTAMAP_A03	Review of Council IT Support contracts across all Services to consider centralising control within IT Services.			<b>September 2012 Update -</b> IT Admin are drafting initial contracts register based on existing revenue budget commitments.	31-Mar-2013	Lorna Morley	Amanda D'Amico
ICTAMAP_A04	Undertake SOCITM benchmarking and develop and implement action plans			<b>September 2012 Update -</b> Survey results were available in December 2011. Priorities highlighted by users include, poor network, poor desktop equipment and non standard office application. The ICT	30-Sep-2014	Lorna Morley	Lorna Morley

				Development Programme and ICT Strategy also highlighted these as priorities and progress is underway. Further analysis of the findings is overdue (June 2012).				
ICTAMAP_A05	Develop roadmaps and replacement plans for ICT assets in line with the ICT Strategy			<p><b>September 2012 Update -</b> 3 year Desktop Replacement Programme will ensure update of desktop estate. 3 year Microsoft Enterprise Agreement will ensure ability to update Windows OS and major Office applications. Roadmaps for Application upgrades will be addressed as part of the Review of Core Business Applications.</p>	31-Mar-2013	Alan Blakely	Iain Chisholm; Lorna Morley; Brendan Quigley	
ICTAMAP_A06	Key Servers and Comms equipment assets are managed through 3 Year Maintenance contracts which will be reviewed and renewed as appropriate through competitive tendering			<p><b>September 2012 Update -</b> The server estate has been reviewed and is being managed through a mixture of virtualisation, replacement and extended warranties. Network maintenance list contains critical items with their location and is updated regularly by NAC and third party. Future revisions of this list will be version controlled and dated. The council's communications hardware maintenance contract will be incorporated in to the infrastructure contract which is currently out to tender.</p>	31-Mar-2013	Iain Chisholm	David Birtles; Carolann McGill	
ICTAMAP_A07	Carry out regular analysis of IT support and maintenance contracts			<p><b>September 2012 Update -</b> Regular reviews of these contracts are carried out to ensure that they are adequate for and match the up to date position of the IT estate.</p>	31-Mar-2013	Alan Blakely	Iain Chisholm	





---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 12**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **A737 Trunk Road improvements – update on progress**

---

**Purpose:** To report to the Cabinet on progress with proposals to improve the A737 Trunk Road

---

**Recommendation:** That the Cabinet notes the progress being made in relation to the A737, including Dalry Bypass, safety improvements in and around Beith, and transport action planning for future economic growth in North Ayrshire: and notes the next steps in the development of the various projects.

---

#### **1. Introduction**

- 1.1 The A737 Trunk Road is one of the main strategic transportation routes serving North Ayrshire. Increasing traffic volumes, in particular heavy vehicles are causing difficulties within communities along the road, causing congestion and reduced air quality, and creating additional road safety risks.
- 1.2 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 number of road improvement schemes have been progressing during the past decade, managed by Transport Scotland, seeking to improve road safety whilst improving journey times and reliability on the A737.
- 1.3 The Trunk Road network is the responsibility of Transport Scotland with decisions regarding road improvements, road safety works etc on these roads being at the discretion of Transport Scotland and Scottish Ministers. However, the Council has responsibility for the local roads immediately off the A737, and so are affected by any changes.
- 1.4 Since 2001, three road safety/improvement schemes have been considered in and around Beith – The Den, Head Street junction, and Barrmill Road junction. A fourth scheme considered more recently, is a road widening project between Barrmill Road and Manrahead roundabout to increase capacity.

- 1.5 The Dalry Bypass has been in development for many years and is much needed to improve journey times on this key strategic transport route and to relieve the residents of the town from the difficulties particularly caused by the peak time traffic. From detailed assessment, the bypass would remove 50% of the volume of through traffic from Dalry town centre and result in an overall improvement in air quality, with a positive reduction in CO2 emission levels, by approximately 160 tonnes per year.
- 1.6 In 2003 the then Scottish Executive provided funding of £1.193m to North Ayrshire Council as a contribution towards the costs associated with the realignment of the A737 at The Den and a new access off the A78 at Ardeer, recognising the need to remove barriers to economic growth through physical infrastructure. This allocation was recognised as being not the full funding required to construct both projects.
- 1.7 In addition to the grant funding, Transport Scotland provide funding to meet the Council's costs incurred in enabling work and design costs for the junction works at Beith. From 2003 to late 2010, the Council had provided a senior design engineer to assist Transport Scotland to progress these schemes. In November 2010 Transport Scotland acknowledged the assistance provided by NAC as having been instrumental in achieving robust options to assist them achieve the trunk road objectives in relation to the A737.
- 1.8 In total, some £2.6m has been made available to North Ayrshire Council for development of the schemes, with almost £1.2m of expenditure being already incurred on consultancy fees, site surveys, site/ground investigations and payments to utility companies. The remaining £1.44m is available to be used towards the future development and delivery of improvement works.
- 1.9 In August 2010 Transport Scotland advised that The Den and Head Street were both on Transport Scotland's Motorway and Trunk Road programme, but that construction phases were dependent on satisfactory completion of statutory processes, and the funding available in 2011/12 onwards, was subject to the spending review (i.e. during 2011/12).
- 1.10 The Transport Minister subsequently confirmed that there is £10m funding provided in the Strategic Spending Review to allow the first stages of Dalry Bypass to be implemented. A further £18m is anticipated to follow in the next spending review period (2015/16) to allow the full project to be completed.

## **2. Current Position**

2.1 As part of the development of the Local Development Plan, Council officers (Planning and Roads) have been working with Transport Scotland looking at the long term strategic transportation planning needs of North Ayrshire, recognising expected future development at Hunterston, Ardeer, and our networks throughout North Ayrshire. Considerable modelling of junctions, primarily in Kilwinning, has been carried out to assist with this work and it is reaching a conclusion.

2.2 Based on the work already undertaken and on funding arrangements, there are effectively three packages of work now being taken forward on the A737, to ensure that North Ayrshire has an improved and sustainable strategic transportation link to Glasgow.

### Package 1 - Beith

2.3 This includes the junction improvements at Head Street and Barrmill Road, and the widening of the A737 between Barrmill Road and Manrahead roundabout. Transport Scotland estimate the total cost of this work to be around £8.7m. Detailed development work by Transport Scotland's design consultants is ongoing in relation to these projects. It is anticipated that this will be considered in a future spending review.

### Package 2 - The Den

2.4 The Den, is at an advanced stage of design. Transport Scotland currently estimate the cost of this to be £3.5m. In addition, as part of the original advance funding award, a new direct access off the A78 at Ardeer was considered but this is now not a project which Transport Scotland will consider, and any future access to Ardeer will need to come off Pennyburn roundabout. The roundabout itself now requires further long term planning to ensure that all development needs can be met. Resources for this requires to be met from future development funding.

2.5 The other work in this package is the necessary follow-on from the Dalry Bypass. Constructing this bypass will move the traffic choke-point to Kilwinning as vehicles try to link to the A78. An alternative route for traffic is therefore required, either around the north of the town or a potential upgrade of the B714. No work has previously been carried out on this. An initial high level estimate for the upgrade of the B714 is around £6m. Funding for this requires to be met by Transport Scotland and would require to be met from a future spending review. Future development funds could contribute to this investment. A new bypass around Kilwinning has not been costed yet, but would likely be in the same order of cost as the Dalry bypass.

### Package 3 - Dalry Bypass

- 2.6 As the £28m project develops there will be significant interaction with the Council's road network (particularly around the southern tie-in) and other community issues relating to the future of the town centre and through traffic reduces. A public exhibition was held by Transport Scotland in June and detailed feedback is awaited. However, there appeared to be strong local support for the project and an expectation from the community of early delivery of the total scheme, £10m is available in the current spending review.

## **3. Proposals**

- 3.1 A steering group comprising Transport Scotland, North Ayrshire Council and respective advisors has now been established to ensure that progress is made on all of the packages/projects relating to the A737.
- 3.2 Transport Scotland is leading the Dalry Bypass and the works at Beith and The Den.
- 3.3 Transport Scotland are 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.
- 3.4 Transport Scotland will progress with The Den project, the next stage being the completion of draft Road Orders (required when a road is re-aligned) by late autumn 2012. These Orders typically take between 6 and 18 months to complete depending on any local objection.
- 3.5 NAC are 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. NAC 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.
- 3.6 It is proposed that the Cabinet notes the progress being made in relation to the A737, including Dalry Bypass, safety improvements in and around Beith, and transportation planning for future economic growth in North Ayrshire; and notes the next steps in the development of the various projects.

#### **4. Implications**

##### Financial Implications

- 4.1 The Council has £1.44m from the original funding grant towards various projects on the A737. £660k of this relates to the Head Street and Barrmill junctions at Beith. The remaining £780k relates to work at The Den (and originally potential access work off the A78 at Ardeer). In partnership with Transport Scotland, these funds will be used to develop the infrastructure outlined in this report.

##### Human Resource Implications

- 4.2 There are no HR 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 direct environmental implications at this stage in the development process but as schemes progress there will be individual environmental assessments carried out as appropriate.

##### Implications for Key Priorities

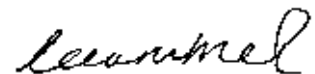
- 4.6 Implementation of the range of schemes being considered in this report will deliver the following key Council priorities:
- 1a - Transport links and services to and from North Ayrshire have improved
  - 1b - North Ayrshire is a more attractive tourist destination
  - 1c - North Ayrshire is a more attractive place to do business
  - 9c - road safety has improved

## **5. Consultations**

- 5.1 Transport Scotland have been consulted in relation to this report.
- 5.2 Meetings are established with senior officers from the Council and Transport Scotland and a steering group has been formed. Transport Scotland hosted a public exhibition of the proposed alignment of the Dalry Bypass in June which was very well attended by local people.

## **6. Conclusion**

- 6.1 Recent commitments to fund and implement the Dalry Bypass has re-focussed attention of Transport Scotland on the A737 and its critical role in the transportation of people and goods to and from North Ayrshire.
- 6.2 Existing and new proposals for the A737 and adjacent roads are now being developed and a steering group formed to ensure that progress is maintained and schemes are delivered as soon as funding is made available. Significant Government funding is required to implement all of the works currently being developed.
- 6.3 Regular update reports will be provided through the Area Committees.



LAURA FRIEL  
Corporate Director (Finance and Infrastructure)

Reference : AB/II

For further information please contact Angus Bodie on 01294 225211

## **Background Papers**

0

---

**NORTH AYRSHIRE COUNCIL**

**Agenda Item 13**

**2 October 2012**

**Cabinet**

---

**Subject:** Corporate Equality Group

---

**Purpose:** To advise on the Minutes of the Corporate Equality Group meeting on 3 September 2012

---

**Recommendation:** That the Cabinet notes the Minutes

---

**1. Introduction**

- 1.1 The Minutes of the Corporate Equality Group are submitted to Cabinet for information.

**2. Current Position**

- 2.1 A meeting took place on 3 September 2012, the Minutes of which are attached at Appendix 1.

**3. Proposals**

- 3.1 The Cabinet is asked to note the minutes.

**4. Implications**

Financial Implications

- 4.1 None

Human Resource Implications

- 4.2 None

Legal Implications

- 4.3 The Corporate Equality Group assists the Council to comply with the Public Sector Equality Duty.

Equality Implications

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

Environmental Implications

4.5 None

Implications for Key Priorities

4.6 Supports the Council Plan's core value 'treating people respectfully, fairly and equally

Community Benefit Implications


4.7 None

**5. Consultations**

5.1 None

**6. Conclusion**

6.1 The Cabinet is asked to note the Minutes of the Corporate Equality Group meeting on 3 September 2012.



ELMA MURRAY  
Chief Executive

Reference : AO

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

**Background Papers**

None



**IRVINE, 3 September 2012** - At a Meeting of the Corporate Equality Group at 10.00 a.m.

## **Present**

Councillor Ruth Maguire; G. Macgregor, Head of Human Resources and Organisational Development; L. Morrison, Senior Manager (Human Resources); S. Humphries, Chief Revenues and Benefits Officer (Finance and Infrastructure); P. Moore, Senior Educational Psychologist and P. Chow, Development Worker – Ethnic Minorities (Education and Skills); A. Osborne Policy and Performance Officer and C. Graham, Committee Services Support Officer (Chief Executive's Service).

## **Apologies for Absence**

Councillor Marie Burns.

## **Chair**

Councillor Maguire in the Chair.

## **1. Welcome and Introductions**

Councillor Maguire welcomed Gavin Macgregor, recently appointed to the post of Head of Human Resources and Organisational Development.

A. Osborne advised equalities is now within his Policy and Performance remit and would attend meetings of the Group following the secondment of M. Adams to the post of Programme Manager (Early Intervention & Prevention) with the Business Change Team.

## **2. Minutes**

The Minutes of the Meeting of the Corporate Equality Group held on 12 June 2012 were approved.

## **3. Equality Progress Reports**

### **3.1 Education and Skills**

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

- Progress on the 15 actions within the Education and Skills single equalities Action Plan 2012/13
- The taking forward of proposals to reduce incidences of bullying in schools as an equality outcome for Education and Skills. P Moore will attend a meeting of local authorities in the next few weeks and provide feedback in the next report
- Further training and support events being planned for the school Equalities Champions and Champions within Community and Culture

- The evidence base arising from a recent survey on how duties are being addressed in schools and a number of actions identified to ensure equalities is given appropriate reference in school decision-making and
- The work being carried out by Community Development within the communities of North Ayrshire, including the official opening of the AMECA Information and Advice Drop in Centre on 30 August.

The Chair asked questions, and received clarification, on the position regarding Pupil Equalities Champions in schools.

Noted.

### **3.2 Social Services and Health**

Submitted report on equality developments in Social Services and Health to August 2012.

A. Osborne undertook to consult with the Service regarding representation on the Corporate Equality Group.

Noted.

### **3.3 Finance and Infrastructure**

Submitted report on equality developments within Finance and Infrastructure, including progress on the actions within the Equalities Action Plan 2012/13, good working practices within the Finance Benefits Service, and advising on the range of services provided to customers by the Directorate.

2 members of Revenues staff and 2 members of Benefits staff have been trained on the use of the British Sign Language. Demand for the service is low, however, and retaining the skill level is difficult, thereby the staff meet together as often as possible in order to maintain their skill level. Refresher training will be available later in the year.

There was discussion on the availability of information on the CHRIS system in relation to specialist skills held by staff, with a view to access to those skills being available across all Services of the Council. L. Morrison advised of the proposed introduction of an 'Employee Kiosk' initiative, which would allow staff to update their own details as required. It is anticipated the initiative will be in operation by the end of the current financial year.

S. Humphries advised of changes to the staffing structure within Finance and Infrastructure which would have implications in terms of service representation on the Corporate Equality Group. The new Directorate – Finance and Corporate Services - will incorporate Finance, Human Resources, I.T. and Customer Services. Other services currently under the heading of Infrastructure, .e.g. Roads, together with Environment and Related Services, will no longer be within the remit of that Directorate. This will also affect the current reporting mechanism in respect of Chief Executive's and Corporate Services, currently provided by L. Morrison.

A. Osborne undertook to consult on membership with Corporate Directors and Heads of Service, at the earliest possible opportunity, to ensure all services are adequately represented with effect from the next meeting.

### **3.4 Chief Executive's and Corporate Services**

Submitted report on equality developments within Chief Executive's and Corporate Services highlighting:-

- Progress on delivering the actions outlined in the Action Plan 2012/13. Most of the actions have deadlines that are not due until the end of the current year. Details were provided in respect of those Services which have tasks where deadlines are due or are approaching, namely
  - “Undertake a communications audit of all internal and external communications materials, channels and methods”. The timescale for completion is December 2012.
  - “Utilise findings of the Communications Audit to develop a Communications Standards Guide for the Council”. This is dependent on completion of the above audit and the anticipated timescale is January/February 2013.
  - “Complete Equal Pay Audit”. Work has commenced to co-ordinate and extract the relevant data required for the audit analysis to be undertaken. The deadline for completion is 31 October 2012 and additional resources within Human Resources have been identified to assist with the project.

L. Morrison will attend an Employment and Equality Rights Seminar in Glasgow on 10 September. The seminar has been organised by the Scottish Employment Rights Network and the Equality and Human Rights Commission. Learning points arising from the seminar will be reported to the next meeting.

Noted.

### **4. Equality Sub Group**

Submitted Minutes of the Meeting of the Equality Duty Sub Group held on 12 July 2012.

Noted.

### **5. Equality Impact Assessment**

Submitted draft report for submission to the CMT on proposed changes to the equality impact assessment process.

The CMT had previously noted that the EIA process would be reviewed further, once national guidance had been published. The process has now been reviewed by the Corporate Equality Group following publication of the EHRC guidance on “Assessing impact and the public sector equality duty”. The duty requires that the Council must assess the impact of applying any new or revised policy or practice and make

arrangements to review and, where necessary, revise any existing policy or practice and publish the results of those assessments.

The starting point for assessment is now for services to assess the impact of applying the policy against the needs of the general equality duty to:-

- Ensure they do not discriminate unlawfully
- Consider how policies might better advance equality of opportunity and
- Consider whether policies will affect good relations between different groups

While not everything an authority does must be impact assessed, the cumulative effect of proposals which are inter-linked must include consideration of relevant evidence and evidence from equality groups, e.g. monitoring data, external research and national data.

There has been considerable focus on undertaking EIAs on budget proposals with few assessments being carried out, and a more proportionate approach is required.

There had been consultation with the Group and M. Adams had compiled a new toolkit, inclusive of assessment form together with a template for equality screening in terms of whether a more detailed equality impact assessment is required, attached to the report at appendices 1, 2 and 3 respectively.

The report recommended that the CMT approve (a) the proposed changes to the equality impact assessment toolkit and assessment form; (b) a screening process be introduced for equality impact assessments being carried out on budget proposals; and (c) that each corporate service group carry out a minimum of 5 EIAs in each financial year on policies which are not new or under review.

It is anticipated the process will be introduced by the end of September 2012.

Noted.

## **6. Equality Outcomes**

Submitted report on the proposed equality outcomes for the Council as required by the Equality Action 2010 (Specific Duties) (Scotland) Regulations 2012. The Council must agree outcomes which will eliminate discrimination, advance equality and foster good relations.

In developing equality outcomes the Council must take steps to involve people with protected characteristics, consider relevant evidence and publish reasons for not setting outcomes on individual protected groups.

The CMT agreed that the proposed equality outcomes should be structured under the Council's four core objectives, as follows:-

### **1: Regenerating our Communities and Increasing Employment**

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

### **2: Protecting Vulnerable People**

- ◆ The incidence of violence against women is reduced
- ◆ The incidence of hate crime is reduced
- ◆ Older people are more active and independent in their communities

### 3: Improving Educational Attainment

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

### 4: Operating More Efficiently and Effectively

- ◆ More Council employees are working flexibly

The CMT is due to consider the draft equality outcomes (as detailed in Appendix 1 to the report) for final comment, prior to commencement of the consultation with equality groups.

The consultation programme will take place over the next 2 months. Thereafter the findings will be reported to the Group and to the CMT.

From the current equality data available, there are a number of areas which link to the Council Plan core objectives and which would merit further work. The involvement of equality groups will help to establish if they are relevant and appropriate. Further work will be required on the action which the Council could take to support these outcomes.

A further report will be provided to the next meeting.

Noted.

## **7. Equality Annual Report 2011/12**

Submitted draft Equality Annual Report 2011/12 as at July 2012, incorporating information regarding employment monitoring.

The new specific duties require that the Council publishes a report, by 30 April 2013, on progress made in integrating the general equality duty to the exercise of its functions so as to better inform that duty. The report will contain information included in this annual report in the past and will replace future annual equality reports.

Noted.

## **8. Date of Next Meeting**

The next meeting will be held on Monday 3 December, 2012 at 10.00 a.m. in Committee Room 2, Cunninghame House, Irvine.

The meeting ended at 10.35 a.m.



---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 14**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **Environment and Infrastructure Policy Board**

---

**Purpose:** To submit the Minutes of the Meeting of the Environment and Infrastructure Policy Board held on the 3rd September 2012.

---

**Recommendation:** That Cabinet note the minutes attached at Appendix 1.

---

#### **1. Introduction**

- 1.1 The Environment and Infrastructure Policy Board is one of six Policy Boards formed by the new Council following its election in May 2012.

#### **2. Current Position**

- 2.1 The first meeting of the Environment and Infrastructure Policy Board was held on the 3rd September 2012. At that time the board considered two reports in respect of a new Tree and Woodland Management policy and a updated Water Safety policy. The minutes of the meeting are attached at Appendix 1.

#### **3. Proposals**

- 3.1 That Cabinet note the minutes attached at Appendix 1.

#### **4. Implications**

##### Financial Implications

- 4.1 There are no financial implications

##### Human Resource Implications

- 4.2 There are no Human Resource implications

##### Legal Implications

- 4.3 There are extensive legal frameworks that have been utilised to inform the two policies considered.

#### Equality Implications

- 4.4 There are no equality implications.

#### Environmental Implications

- 4.5 The policies considered seek to protect and enhance the natural environment.

#### Implications for Key Priorities

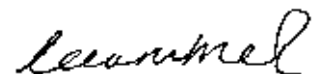
- 4.6 The policies support the following key priorities and SOA objectives:-
- 1 We live in a Scotland that is the most attractive place for doing business with Europe
  - 6 We live longer, healthier lives
  - 10 We live in well designed, sustainable places where we are able to access amenities and services we need
  - 12 We value and enjoy our built and natural environment and protect it and enhance it for future generations

### 5. Consultations

- 5.1 No consultations were required in the formation of this report. However, a number of service including the Council's Planning, Legal, Countryside Ranger, Roads, Housing and Finance & Risk Management service areas.

### 6. Conclusion

- 6.1 The attached minutes are submitted for information.



LAURA FRIEL  
Corporate Director (Finance and Infrastructure)

Reference : CH/LB

For further information please contact Craig Hatton, Head of Environment & Related Services on 01294 541514

#### Background Papers

Tree and Woodland Management Policy  
Water Safety Policy



**Environment & Infrastructure Policy Board  
Council Chambers, Cunninghame House  
Monday 3<sup>rd</sup> September 2012 at 2pm**

At a meeting of the Environment & Infrastructure Policy Board of North Ayrshire Council held on Monday 3<sup>rd</sup> September 2012 at 2pm in Council Chambers, Cunninghame House, Irvine.

**Members Present:**

Councillor John Bruce

Councillor Ian Clarkson

Councillor Joe Cullinane

Councillor Anthea Dickson

Councillor John Easdale

**In Attendance:**

Craig Hatton (CH) - Head of Environment & Related

Angus Bodie – Head of Infrastructure & Design ***Present for first 10 minutes***

Donald Wilson - Streetscene Manager

Lesley Lyons - Secretary to Head of Service (Infrastructure & Design) ***Present for first 10 minutes***

Carol Maguire – Clerical Assistant (minute taker)

**Chair**

Councillor Ferguson

**Apologies for Absence:**

Councillor John Hunter

Councillor McLardy

The Chair set out the remit of these meetings and that the minutes would be reported to the following Cabinet. Ward issues would not be discussed. It was acknowledged that future meetings, either Environment or Infrastructure reports would be presented on an alternating basis, and that the respective Head of Service would attend unless a cross-service matter was presented.

## **1. Tree and Woodlands Management Policy**

Submitted report by Craig Hatton.

It was noted that there was no formal policy in place at the present, however the Council receives many enquiries about trees.

The policy does not include trees on private land unless they were within a Conservation Area or subject to Tree Preservation Orders and where tree growth interfered with adopted public footways/highways.

This proposed policy sets out general principle for trees management, while also taking into account both the added value of trees to the local area, and the inconvenience issues such as leaf fall, etc. It was recognised that North Ayrshire have lots of open spaces, ideal to plant trees, and that it can be beneficial to the Council to manage them with members of the public, community groups, rangers service, etc.

A large number of enquiries are received from householders, where trees were planted when houses were built, and during the intervening years the trees have now matured. It is recognised that highway trees help to remove pollution as well as offering an aesthetic value.

The policy sets out the approach to the felling and pruning of trees, healthy trees will not felled or pruned unless it was associated with a health and safety issue or hazard. It was noted in Common Law that any overhanging branches could be cut back to the boundary of the owners property, however the branches must be offered back to the owner of the tree. Although many complaints are received regarding trees disrupting satellite signals, it was agreed that the onus would be on the owner or installer of the satellite dish to reposition it by some means.

The policy provides additional examples of when the Council would and would not intervene with regards to trees, eg. fallen leaves and branches – won't react to inconveniences, however any fruit fall and leaves that makes roads and paths dangerous would be cleared by a Streetscene Operations. It was clarified that fallen leaves are only considered as detritus, once they start to rot. Poisonous trees would only be removed if there was a significant risk to the public or wildlife.

All acts of vandalism and anti social behaviour will be reported to the Police, and it will then be the responsibility of the Police to take action against the individual(s).

Where trees are removed, consideration should be given to replanting. New planting takes place in Nov-Feb period.

Members sought clarification on the following:

- a. How many occasions the Police have taken action against individuals who have caused damage to trees. Officer advised that there were 2 in Irvine area, and that 1 individual was taken to court, however the Sheriff's decision favoured the accused. It was acknowledged that all complaints still need to be registered with the Police.
- b. An example was provided of an elderly lady who has no light in her house and can't watch tv because of an overgrown tree outside her window. Could consideration be given to the policy that will allow healthy trees to be cut down in special circumstances, and that a register could be kept detailing the reason. Officer suggested that once all possibilities had been exhausted, including a visit from NAC's Arboriculture Officer, then all necessary information would be recorded as to why the tree was pruned or felled and that the policy reflected this. Consideration was given to the formation of an appeal policy, which could include members from this board, and allow for trees to be felled in these exceptional circumstances. At paragraph 8.2 *"..... unless the basis of the complaint is an overriding justification and no alternative management practice can be implemented"*. It was noted that expert advice could entail evidence from a GP, Health Practitioner, etc.
- c. The budget available for undertaking arboriculture work, which is set at £50,000, excludes staff costs. The policy is not budget driven but their amenity and environmental value to the area. It was noted that as part of the Streetscene Service Review, an in-house arboriculture team had been formed. It was noted that this only provided for limited work.
- d. Could another word be considered for use instead of 'exception' from 11.3 *".....only in exceptional circumstances, and when all other potential solutions have been exhausted ....."*. The intention of the policy is to retain trees where possible and the wording of the policy reflects this.
- e. Whether the individual who wants the tree removed should be charged for a replacement tree. It was agreed that this may not prove equitable.
- f. Promotion of the new policy. It was confirmed that literature as well as relevant information on NAC's website, would be developed.
- g. Self-seeding trees could be thinned before they have grown. Officer confirmed self-sown seedlings will be removed through normal maintenance regime.
- h. The point at which the Council had responsibility for clearing up fallen leaves. It was confirmed that there is no requirement on the Council to clear up leaves once they had fallen, but once they start to rot they are classed as detritus. Leaves are collected as part of maintenance schedule.
- i. It was confirmed that Housing Association tenants were dealt with the same way as private owners.

The following amendment was agreed to the policy:

- 1) It was agreed that an annual report will be provided to the board in September 2013 detailing the number of complaints, any emergency works carried out, health and safety with regards to trees, storm damage to trees, number of satellite dishes that were moved because of obstruction of the signals by trees, how many trees were felled, etc.

## **2. Water Safety Policy**

Submitted report by Craig Hatton.

The policy was originally created in 1998, there has been some legislative changes with regards to access to open spaces, that require consideration in addition to this periodic review. The policy only applies to waterways for which the Council has responsibility, including inspections.

Education and awareness regarding the dangers of water will involve developing leaflets, liaising with schools, website information, social media, etc. It was noted the Council is responsible for ensuring there is signage at relevant sites warning of dangers, necessary equipment such as life buoys, and physical barriers if required, and that it was imperative to make people aware of potential dangers of the water.

The Council inspects all aids on a regular basis (replacing when necessary), however they do suffer from vandalism and theft, and that buoys can only be replaced so many times before an alternative risk management method is applied.

It was noted that hostile dense vegetation is a good cost effective way of deterring individuals from going near the waters edge, however where this vegetation cannot grow, alternatives such as walls, barriers, etc. will be considered. Ice is not broken for safety reasons to employees, however would be considered during prolonged cold spell, if detrimental to local wildlife. It was recognised that the Council needs to show, as far as practically possible, a duty of care. However residents and visitors have a duty to act reasonably.

*Questions/Suggestions:*

Members sought clarification on the following:

- a. Whether dense vegetation served the purpose of deterring individuals as children can still be seen going to the waters edge, albeit no-one can see if they are in trouble in the water, and that it seems to encourage illegal dumping. It was confirmed that the Council take their guidance from RoSPA (The Royal Society for the Prevention of Accidents). It was agreed to raise this matter with RoSPA and update policy as and if necessary.

- b. It was questioned whether 4 weeks, 10.2 *"Applications must be made at least four weeks in advance of the proposed event activity."* was necessary. It was confirmed that time was required in order to assess the full risk assessment of the area beforehand. Although everyone has the right to have free access to water, where planned events are taking place, the Council must be notified.
- c. It was agreed that where life buoys are being continually stolen or vandalised, that consideration should be given as to whether the equipment should be removed.
- d. It was questioned how many serious accidents have been recorded within North Ayrshire. The Board was only aware of one that happened recently. Officer confirmed that preventive barriers can only be erected where the risk assessment has identified a need.

### **3. Future Environmental Agenda Items**

The board considered a number of areas for future review.

- 1. Implementation of Waste Strategy
- 2. Waste Collections Policy
- 3. Abandoned Supermarket Trolleys
- 4. Environmental Impact of an Emergency at Hunterston Power Station

The Civic Contingencies unit will be invited to a future meeting.

- 5. Dog Fouling

Detailed research being undertaken at the moment regarding dog fouling, litter, graffiti, and will be reported to this board.



---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 15**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **Finance & Corporate Support Policy Board**

---

**Purpose:** To submit the Minute of the Meeting of the Finance & Corporate Support Policy Board held on 10th September 2012

---

**Recommendation:** Cabinet notes the minute attached at Appendix 1.

---

#### **1. Introduction**

- 1.1 The Finance & Corporate Support Policy Board is one of six Policy Boards formed by the new Council following its election in May 2012.

#### **2. Current Position**

- 2.1 The first meeting of the Finance & Corporate Support Policy Board was held on 10th September 2012. At that time, the board considered one report in respect of the ICT Strategy and the associated action plan. The minute of the meeting is attached at Appendix 1.

#### **3. Proposals**

- 3.1 Cabinet notes the minute attached at Appendix 1.

#### **4. Implications**

##### Financial Implications

- 4.1 There are no financial implications

##### 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

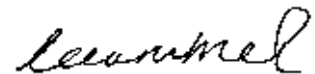
- 4.6 There are no implications.

### 5. Consultations

- 5.1 No consultations were required in the formation of this report.

### 6. Conclusion

- 6.1 The attached minute is submitted for information.



LAURA FRIEL  
Corporate Director (Finance and Infrastructure)

#### Reference :

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

#### **Background Papers** ICT Strategy



**Finance & Corporate Support Policy Board**  
**10<sup>th</sup> September 2012**

At a meeting of the Finance & Corporate Support Policy Board of North Ayrshire Council held on Monday 10<sup>th</sup> September 2012 at 2pm in Council Chambers, Cunninghame House, Irvine.

**Members Present:**

Councillor Alex McLean  
Councillor Marie Burns  
Councillor Alex Gallagher  
Councillor Tony Gurney

**In Attendance:**

Laura Friel, Corporate Director (Finance & Infrastructure)  
Gavin Macgregor, Head of Human Resources & Organisational Development  
Alan Blakely, IT Manager  
Debbie Anderson, PA to Corporate Director (Finance & Infrastructure)

**Chair**

Councillor Alex McLean

**Apologies for Absence:**

Councillor Tom Marshall

**1. Welcome and Introductions**

Councillor McLean welcomed members to the first meeting of the Finance and Corporate Support Policy Board. Introductions took place around the table.

**2. ICT Strategy Update**

Submitted report by Alan Blakely, Information Technology Manager detailing progress on both the ICT Strategy Action Plan and the ICT Asset Management Action Plan for 2011-16.

The ICT Strategy has three themes encompassing seven key objectives and Alan Blakely gave a brief overview of the progress and next steps being taken against each of these. Alan confirmed that the strategy and action plan will be reviewed in December 2012 to confirm that the Strategy remains relevant and identify progress on actions for agreement on any further action required.

Members raised the following questions:

- Councillor McLean asked if the formation of the new Asset Management Plans replace the existing ones, this was confirmed

- Councillor Gallagher noted the positive content within the report although he raised his confusion on the purpose of this Policy Board. He noted the existing committees in place who undertake the role of scrutinising reports. Councillor Burns agreed with Councillor Gallagher's point in relation to the role of the Policy Board and she highlighted that Policy Boards should be a forum for sharing of ideas and engagement before discussion at Committee. The Policy Board agreed this approach.
- Councillor Gallagher asked that high level financial information, financial strategies and financial policies be discussed at this Policy Board. Laura Friel advised she would submit a future report to the Policy Board of the wider economic challenges and noted that there was an established process for the development of the Council's financial strategy.
- Councillor Gallagher asked if the right level of protection is applied to secure the Council's data. Alan Blakely outlined the approach taken by the Council but noted that it is not possible to eliminate all risk.
- Councillor Gallagher asked if the IT fault reporting application is compatible with the Blackberry device software, noting the usefulness of this application. Alan Blakely confirmed that they were not compatible.
- Councillor McLean sought some clarification around the £3m that has been awarded for the ICT Strategy.
- Councillor McLean asked that if an upgrade to WAN and LAN is not undertaken would it impact on certain activities that the Council performs currently. Alan Blakely confirmed there would be performance issues and that the upgrades were essential for the Council moving forward.

### **3. Any Other Competent Business**

There was no other business.

### **4. Future Agenda Items**

- Outline of wider economic challenge;
- Supporting Services Review;
- Altering Service Demand.

### **5. Date of Next Meeting**

Monday 29<sup>th</sup> October 2012 at 2pm within the Council Chambers, Cunninghame House, Irvine.

The meeting ended at 2.40pm.

---

## **NORTH AYRSHIRE COUNCIL**

### **Agenda Item 16**

**2 October 2012**

#### **Cabinet**

---

**Subject:** **Provision of five new houses at the former Children's Home site at Harley Place, Saltcoats.**

---

**Purpose:** To seek approval to accept the tender for the new house building project at Harley Place, Saltcoats.

---

**Recommendation:** That the Cabinet approve the acceptance of the tender submitted by Ashleigh (Scotland) Ltd

---

#### **1. Introduction**

- 1.1 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.
- 1.2 It was agreed by the former Executive to demolish the former childrens' 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.

#### **2. Current Position**

- 2.1 There is a framework contract in place for these works and as a result no pre-qualification questionnaire was required. Following consultation with the nine contractors on the framework, the following expressed an interest in submitting a completed tender:

McLaughlin Construction Limited  
McTaggart Construction Limited  
CCG (Scotland) Limited  
Ashleigh (Scotland) Limited  
Morris & Spottiswood Limited

- 2.2 The Tender Outcome Report (Appendix I) provides a summary of the procurement process and makes a recommendation for the appointment of the successful contractor.

- 2.3 The report provides 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 The project consists of five new build properties on the site of the former Harley Place Childrens' unit. The development contains two properties, which have been specifically adapted for clients with special needs.
- 3.2 It proposed that the Cabinet approve the acceptance of the Tender submitted by Ashleigh (Scotland) Ltd.

### **4. Implications**

#### Financial Implications

- 4.1 The HRA capital budget for 2012/13 makes provision for the works. 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.

#### Human Resource Implications

- 4.2 None.

#### Legal Implications

- 4.3 None.

#### Equality Implications

- 4.4 None.

#### Environmental Implications

- 4.5 These new build houses have been designed to comply with the latest building standards and as a result, the carbon footprint will be significantly reduced in comparison with the Childrens' home previously on the site.

## Implications for Key Priorities

4.6 This work will contribute towards the Councils 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. Opportunities to employ local labour will be discussed with the successful contractor.

## 5. Consultations

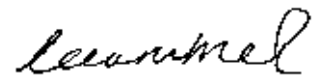
5.1 The Corporate Procurement team facilitated the tender process and are in agreement with the recommendation to appoint Ashleigh (Scotland) Ltd.

5.2 Consultation has taken place with Social Services in order to ensure the properties meet the requirements of the intended users.

5.3 Housing Services have been involved with the project since inception and are in full agreement with the design.

## 6. Conclusion

6.1 Cabinet is requested to approve the acceptance of the tender submitted by Ashleigh (Scotland) Ltd.



LAURA FRIEL  
Corporate Director (Finance and Infrastructure)

Reference : AB/TR/DT/II

For further information please contact Thomas Reaney, Procurement Manager on 01294 324097

## Background Papers

Tender Outcome Report SAL/321/015





## Tender Outcome Report

[SAL/321/015]

[5 NEW BUILD HOUSES – HARLEY PLACE : SALTCOATS]

**SAL/321/015**  
**For the procurement of**  
**5 NEW BUILD HOUSES – HARLEY PLACE , SALTCOATS**

**1 PURPOSE**

The purpose of this document is to summarise the procedure for, the invitation to tender process and present a recommendation for **5 NEW BUILD HOUSES-HARLEY PLACE , SALTCOATS** award. The recommendation is based on the results of the tender evaluation carried out on the responses to the **5 NEW BUILD HOUSES –HARLEY PLACE , SALTCOATS** 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 Panel following the completion of the evaluation of responses to the Invitation To Tenders for the **5 NEW BUILD HOUSES – HARLEY PLACE , SALTCOATS**
- 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 5 NEW BUILD HOUSES-HARLEY PLACE , SALTCOATS*
- 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 18 weeks
- 3.4 The estimated total value of the overall *Contract* (including any possible extensions and all collaborative partners) is £632,841.96 with an estimated annual budgetary spend to North Ayrshire Council of £704,453.

**4 TENDER NOTICE, INTEREST & RETURNS**

- 4.1 A formal contract notice was not required as a current framework contract is in place (Framework Agreement for Building Council Houses ) dated 13<sup>th</sup> September 2010 . All contractors on that framework were written to on the 6<sup>th</sup> July 2012 and advised of the contract and asked to confirm if they wished to submit a tender
- 4.2 Of the nine contractors on the framework four declined and as a result the remaining five contractors were checked for there current Equifax Rating ( D ) or above.
- 4.3 Following the Expressions of Interest the following *five* potential providers were short-listed to receive Invitation To Tenders documents:
- *CCG (Scotland) Ltd ,Glasgow*
  - *McLaughlin Construction Ltd, Irvine*
  - *McTaggart Construction,Dalry*
  - *Morris & Spottiswood, Glasgow*
  - *Ashleigh ( Scotland ) Ltd , Dumfries*



- 4.4 The return date for completed Tender documents was 12 noon, 7<sup>th</sup> September 2012

## 5 EVALUATION PROCESS

### 5.1 Stage 1- PQQ's

- 5.2 The evaluation process for the PQQ's had been carried out at the award of the framework contract ( Framework Agreement for Building of Council Houses 2010 )

### 5.3 Stage 2 - Price

Procurement of the Works is on the basis of a competitive tender using the SBCC Standard Building Contract with Quantities for use in Scotland (SBC/Q/Scot), 2011 Edition

[Form of Tender, Conditions of Contract, Preliminaries, Specification, Drawings and Bill of Quantities] (*Delete as appropriate*) were issued for completion by tenderers as part of the tender enquiry package.

Tender submissions are evaluated on the basis of Price Only.

## 6.0 EVALUATION RESULTS

### 6.1 Stage 2 – Pricing

#### **Abstract of Offers**

Contractor	Original Offer £	Corrected Offer £	Lowest Offer £
Ashleigh (Scotland) Ltd, Dumfries	<b>£630,341.96</b>	<b>£632,841.96</b>	<b>632,841.96</b>
McLaughlin Construction Ltd, Irvine	<b>£655,051.52</b>	<b>£655,051.52</b>	
CCG (Scotland) Ltd, Glasgow	<b>£655,959.38</b>	<b>£655,952.08</b>	
McTaggart Construction, Dalry	<b>£701,525.81</b>	<b>Non Compliant Offer</b>	
Morris & Spottiswood Ltd, Glasgow	<b>£713,651.25</b>	<b>Non Compliant Offer</b>	
			<b>£632,841.96</b>

All tenders have been checked in accordance with North Ayrshire Council's Standing Orders relating to contracts and all adjustments and amendments have been verified and agreed.

Signed: \_\_\_\_\_  
Head of Infrastructure & Design Services

Date: \_\_\_\_\_

## **7 RECOMMENDATION**

- 7.1 The recommendation of the Tender Evaluation is that a Contract be awarded to: Ashleigh (Scotland) Ltd.
- 7.2 Subject to approval, Letters of Intent will be issued to all successful and unsuccessful Tenderers
- 7.3 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.

## **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 the Tender and award a Contract to the Tenderer identified in section 7.1.
- 8.2 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 17**

**2 October 2012**

#### **Cabinet**

---

<b>Subject:</b>	<b>Upgrading of external fabric at Western Gateway, Almswall Road and Main Street, Kilwinning.</b>
<b>Purpose:</b>	To seek approval to accept the tender for the upgrading works at Western Gateway, Kilwinning.
<b>Recommendation:</b>	That the Cabinet approve the acceptance of the tender submitted by CCG (Scotland) Ltd.

---

#### **1. Introduction**

- 1.1 The Housing Revenue Account (HRA) capital budget for the financial year 2012/12 was approved by the Council on 1st February 2012 makes provision for the upgrading of external fabric at Western Gateway, Almswall Road and Main Street, Kilwinning.
- 1.2 The project is a Joint venture between the Council and Irvine Bay Regeneration Company (IBRC). This initiative and the approach being adopted was approved by the Executive on 21 June 2011.

#### **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 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 The Western Gateway improvement scheme embraces the corner block of Almswall Road and Main Street, Kilwinning and includes the following maisonette and retail unit addresses;

- Numbers: 3, 5, 7, 9, 11, 13, 15, 17, 19, 21 & 23 Almswall Road
- Numbers: 133, 135, 137, 139, 141, 143, 145, 147, 149 & 151 Main Street

- 3.2 The scope of works will comprise of:-

#### Maisonettes

Re-Roofing and associated works  
Re-Render and associated works  
Re-Fenestration of all elevations  
Roof infill to central staircase Almswall Road

#### Retail units and covered walkway

Refurbishment of concrete columns  
Cladding of walkway ceiling  
Installation of roller shutters to shop-fronts  
Installation of feature lights

#### Common areas and walkways

Installation of featured lighting  
Refurbishment of common walkways and boundary walls

- 3.3 It is proposed that the cabinet approves the acceptance of the Tender submitted by CCG (Scotland) Ltd , for the sum of £525,045.26

### **4. Implications**

#### Financial Implications

- 4.1 The Project is jointly funded between North Ayrshire Council and IBRC, who will contribute £290,000 towards the total costs incurred.
- 4.2 The HRA capital budget for 2012/13 makes provision for the works under "Regeneration/Refurbishment". This budget allocation amounts to £300,326. This budget includes sufficient allowance to meet all professional and statutory consent costs associated with this project.

The project is programmed to be delivered during the current financial year.

#### Human Resource Implications

- 4.3 None

#### Legal Implications

- 4.4 None

#### Equality Implications

- 4.5 None

#### Environmental Implications

- 4.6 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

- 4.7 The work 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

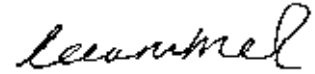
- 4.8 There are no direct community benefit requirements included in the contract as the contract value is below the £1m threshold for the Targeted Recruitment and Training scheme. Opportunities to employ local labour will be discussed with the contractor.

### **5. Consultations**

- 5.1 The design of the project has been developed in conjunction with IBRC, Housing Services, the residents and occupiers of the commercial premises.

## **6. Conclusion**

- 6.1 The Cabinet is requested to approve the acceptance of the tender submitted by CCG (Scotland) Ltd., Glasgow for the sum of £525,045.26.



LAURA FRIEL

Corporate Director (Finance and Infrastructure)

Reference : AB/TR/DT/II

For further information please contact Thomas Reaney, Procurement Manager on 01294 324097

### **Background Papers**

Tender Outcome Report KIW/388/001



Tender Outcome Report  
For Recommendations over £350K

**KIW/388/001**

**WESTERN GATEWAY**

**ALMSWALL ROAD & MAIN STREET**

**KILWINNING**

**UPGRADING OF EXTERNAL FABRIC ETC**

<b>Table of Contents</b>	<b>Page</b>
<b>Purpose</b>	<b>3</b>
<b>Introduction</b>	<b>3</b>
<b>Background</b>	<b>3</b>
<b>Tender Notice, Interest and Returns</b>	<b>3</b>
<b>Evaluation Process</b>	<b>6</b>
<b>Evaluation Results</b>	<b>6</b>
<b>Recommendation</b>	<b>7</b>
<b>Authority to Approve</b>	<b>7</b>



**KIW/388/001**  
**For The Procurement Of**  
**Western Gateway**  
**Almswall Road & Main Street**  
**Kilwinning**  
**Upgrading Of External Fabric Etc**

**1 PURPOSE**

The purpose of this document is to summarise the procedure for, the invitation to tender process and present a recommendation for the **Upgrading Of External Fabric Etc, Western Gateway Almswall Road & Main Street, Kilwinning** award. The recommendation is based on the results of the tender evaluation carried out on the responses to the **Upgrading Of External Fabric Etc, Western Gateway Almswall Road & Main Street, Kilwinning** 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 Panel following the completion of the evaluation of responses to the Invitation To Tenders for the **Upgrading Of External Fabric Etc, Western Gateway Almswall Road & Main Street, Kilwinning**.
- 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 **Upgrading Of External Fabric Etc, Western Gateway Almswall Road & Main Street, Kilwinning**.
- 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 20 working weeks
- 3.4 The estimated total value of the overall Contract (including any possible extensions and all collaborative partners) is £525,045.26 with an estimated annual budgetary spend to North Ayrshire Council of £300,326.00. The project is part funded by Irvine Bay Regeneration Company to the value of £290,000. Thus the combined budget is £590,326.00.

**4 TENDER NOTICE, INTEREST & RETURNS**

- 4.1 A formal contract notice was advertised under the dual stage procedure process in the Public Contracts Scotland Procurement Portal 26<sup>th</sup> October 2011 with a return date of 12 noon, on 14<sup>th</sup> November 2011.
- 4.2 The contract notice attracted 24 expressions of interest from a wide range of potential providers of which 8 submitted completed pre-qualification questionnaires.

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 & Co Ltd, Glasgow
- Brick & Steel Construction Ltd, Glasgow
- CCG (Scotland) Ltd, Glasgow
- McLaughlin Construction, Irvine
- Morris & Spottiswood Ltd, Glasgow

4.4 The return date for completed Tender documents was 12 noon, 27<sup>th</sup> July 2012.

## 5 EVALUATION PROCESS

5.1 The evaluation process was in two stages; stage one the Pre-Qualification Questionnaire (PQQ) stage assessed the responses to pre-determined Criteria. Stage two, Invitation to tender documents were issued to the organisation who progressed from stage one.

### 5.2 Stage 1 Pre-qualification Process (PQQ)

Interested organisations are required to complete and return a Pre-Qualification Questionnaire including the provision of any supplementary information as identified in the questionnaire.

Pre-qualification questionnaires were evaluated on the basis of each applicants legal position, economic capacity, financial capacity, technical capacity, Health & Safety record and the ability to deliver the work to a quality standard acceptable to North Ayrshire Council. These matters are evaluated in accordance with the criteria stated in the document.

The Contractor is required to demonstrate the quality system proposed to comply with the requirements of, or equal to:-

BS EN ISO 9001: 2001 Quality Management Systems

BS EN ISO 14001: 2004 Environmental Management Systems

BS EN ISO 18001: 1999 Occupational Health & Safety Management Systems and associated standards

Failure to meet this minimum standard will exclude the applicant from being invited to tender.

Two types of scoring are applied to evaluate the PQQ. The first is the compliance section. All applicants must complete this section. Failure to meet any of these criteria results 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 as noted in the following table totalling 100.

	COMPLIANCE ASSESSMENT	
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

The Quality assessment scores criteria and weighting is outlined in the table below;

Score	Assessment
0	No information provided
1	Very limited evidence of capability to deliver the project or relevance to the project
2	Limited evidence of capability to deliver the project
3	Adequate evidence of capability to deliver the project
4	Good demonstration or evidence of capability to deliver the project
5	Response fully meeting requirements of the project and evidence of ability to deliver the project

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.

On completion of the PQQ evaluation Contractors shall be advised whether they have been successful or unsuccessful.

### 5.3 Stage 2 - Price

Procurement of the Works is on the basis of a competitive tender using the Standard Building Contract with Quantities for use in Scotland (SBC/Q/Scot), 2005 edition Revised October 2009, incorporating amendments issued August 2010.

A Form of Tender, Conditions of Contract, Preliminaries, Specification, Drawings and Bill of Quantities were issued for completion by tenderers as part of the tender enquiry package.

Tender submissions are evaluated on the basis of Price Only.

## 6.0 EVALUATION RESULTS

### 6.1 Stage 1 - Quality (PQQ)

#### Scoreboard

#### **Upgrading Of External Fabric Etc, Western Gateway Almswall Road & Main Street, Kilwinning.**

Org Name	Quality Score	Ranking	Progress to stage 2 / Failed to meet minimum criteria
A C Whyte & Co Ltd	97.00	1	Progress to stage 2
CCG (Scotland) Ltd	94.40	2	Progress to stage 2
McLaughlin Constructon	87.60	3	Progress to stage 2
Morris & Spottiswood	79.20	4	Progress to stage 2
Brick & Steel Construction Ltd	63.70	5	Progress to stage 2
HBS Construction Ltd			Failed to meet minimum criteria
McTaggart Construction Ltd			Failed to meet minimum criteria
Donaghmore Construction Ltd			Failed to meet minimum criteria

### 6.2 Stage 2 – Pricing

#### **Abstract of Offers**

Contractor	Original Offer £	Corrected Offer £	Lowest Offer £
CCG (Scotland) Ltd, Glasgow	£520,568.50	£525,045.26	£525,045.26
McLaughlin Constructon, Irvine	£558,912.63	£559,091.00	
A C Whyte & Co Ltd, Glasgow	£641,007.80	£641,007.80	
Brick & Steel Construction Ltd, Glasgow	No Offer		
Morris & Spottiswood, Glasgow	No Offer		
			£525,045.26

All tenders have been checked in accordance with North Ayrshire Council's Standing Orders relating to contracts and all adjustments and amendments have been verified and agreed.

Signed: \_\_\_\_\_  
Head of Infrastructure & Design Services

Date: \_\_\_\_\_

## **7 RECOMMENDATION**

- 7.1 The recommendation of the Tender Evaluation is that a Contract be awarded to:  
CCG (Scotland) Ltd, Glasgow.
- 7.2 Subject to approval, Letters of Intent will be issued to all successful and unsuccessful Tenderers
- 7.3 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.

## **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 the Tender and award a contract to the Tenderer identified in section 7.1.
- 8.2 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 18

2 October 2012

#### Cabinet

---

**Subject:** Conservation Area Regeneration Scheme: Trinity Church Phase 2 Works

---

**Purpose:** To update Cabinet 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.

---

**Recommendation:** That Cabinet notes progress with the Irvine Conservation Area Regeneration Scheme and agrees to the appointment of Fleming Masonry to undertake phase 2 main works to Trinity Church at a cost of £679,991.17.

---

#### 1. Introduction

1.1 In February 2011 it was announced that the Council, in partnership with Irvine Bay Regeneration Company was to be awarded £500,000 of funding from Historic Scotland to set up a Conservation Area Regeneration Scheme (CARS) in Irvine Town Centre. Executive Committee authority to pursue the CARS components was received on 15 March 2011 and an update was given in June 2011. The four main components of the CARS are:

- Trinity Church;
- Bridgegate Public Realm;
- Property Repairs Grant Scheme; and
- Education events, training and skills.

1.2 The key building in the CARS is the A Listed Trinity Church which is owned by the Council. In early 2012 a first phase of works to the Church was completed which enabled: external site clearance; external maintenance control measures (membrane/chippings); solum treatment, clearance and damp proofing; internal down taking of previous fitted out items; and, the sourcing and provision of all services. The phase 2 works represent the main conservation and repair works which will see the building brought to a fit for purpose shell for marketing for a new use through comprehensive repair of the main church and hall, along with conservation work on the tower and spire.

## **2. Current Position**

- 2.1 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 to this and following a scoring process involving the Council, Irvine Bay URC and consultants DTZ and ARPL, six 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. This is 7% lower than the next best submission. A copy of the Tender Evaluation Report by ARPL is attached at Appendix 1 to this report.
- 2.2 In order to maintain momentum on the Trinity Church project and to ensure that a competent and qualified contractor with the most competitive price is appointed, it is recommended that Fleming Masonry be awarded the contract to undertake the main works. Subject to the approval of this report, an instruction can be made to the contractor to allow work to start in November 2012. Works will thereafter take around 52 weeks to complete and will be finished in late 2013.
- 2.3 In terms of the other CARS components, major works to improve the public realm at Bridgegate recently commenced. As part of the CARS funding application to Historic Scotland it was also stated that the Council would operate a property repairs grants scheme to encourage property owners to make conservation improvements to the fabric of their buildings. The implementation of this will be considered by the Irvine Combined Town Centre Group.

## **3. Proposals**

- 3.1 That Cabinet notes the progression of the Irvine Conservation Area Regeneration Scheme and agrees to the appointment of Fleming Masonry to undertake phase 2 main works to Trinity Church at a cost of £679,991.17.

## **4. Implications**

### Financial Implications

- 4.1 All funding for the main works to Trinity Church is in place. Historic Scotland funding of £500,000 for the Trinity Church is part of a proposed CARS spend of around £4 million, with further funding commitments made by Irvine Bay Regeneration Company and the funding from the former Irvine Development Corporation.



#### Human Resource Implications

- 4.2 None.

#### Legal Implications

- 4.3 The Council has entered into a legal contract with Historic Scotland and has an obligation to implement the components of the CARS.

#### Equality Implications

- 4.4 None.

#### Environmental Implications

- 4.5 None.

#### Implications for Key Priorities

- 4.6 The CARS directly impacts on the Council's core objective 1: Regenerating our communities and increasing employment is supported. North Ayrshire outcome's supported include: 1(b) North Ayrshire is a more attractive tourist destination; 1(c) North Ayrshire is a more attractive place to do business; 10(c) The condition of roads, footways, pathways and lighting has improved; and 15(c) Partnership working has improved.

#### Community Benefit Implications

- 4.7 None. The scale of the project and the specialist nature of the works involved do not lend themselves to the implementation of the community benefit policy and the involvement of trainees in the project.

### **5. Consultations**

- 5.1 Public consultation has taken place on this and wider regeneration proposals through the Irvine Town Centre Initiative and in association with Irvine Bay Regeneration Company .

## **6. Conclusion**

- 6.1 The undertaking of phase 2 main works to Trinity Church will take around 52 weeks to complete and will allow the building to be marketed for a new use with the aim of securing the long term future of the building and bringing a new permanent use to a key building at the heart of the town centre.



IAN T MACKAY  
Solicitor to the Council

Reference :

For further information please contact Alasdair Laurenson on 01294 324758

### **Background Papers**

Trinity Church Conservation Plan

**CONSERVATION AND REPAIR WORKS  
AT TRINITY CHURCH, IRVINE**

**REPORT ON TENDERS**

**24<sup>th</sup> AUGUST 2012**

**ARPL REF: 6114**



ARPL Architects Limited  
Architects, Quantity Surveyors, Project Managers and CDM Co-ordinators  
11, Wellington Square, Ayr, KA7 1EN  
Tel. No. 01292 289777 Fax. 01292 288896  
Web Site: [www.arpl.co.uk](http://www.arpl.co.uk)

## 1.0 PROJECT DETAILS

This report relates to tenders received for the conservation and repair works to Trinity Church, Irvine.

## 2.0 LIST OF TENDERERS

The following contractors were selected from NAC's PQQ process to provide competitive tenders for the works described above:

1. Clark Contracts
2. CBC Stone
3. Fleming Masonry Contractors
4. Land Engineering
5. WH Kirkwood
6. Laing Traditional Masonry Contractors

## 3.0 TENDERS RECEIVED

- 3.1 The tendering process was carried out in accordance with the principles of the "Joint Contracts Tribunal, Practice Note 6 – Main Contract Tendering – Alternative 2" as amended by North Ayrshire Council's Tender Procedures.
- 3.2 The following tenders were received at North Ayrshire Council's offices in accordance with their procedures and the three lowest tenders were checked in accordance with JCT Practice Note 6 for errors as follows:

		<u>As submitted</u>	<u>After checking</u>	<u>Difference/Notes</u>
1.	Clark Contracts	£980,096.10	£1,071,800.23	£91,704.13
2.	Fleming Masonry	£1,053,117.36	£1,060,437.27	£7,319.91
3.	Laing	£1,162,779.15	£1,164,544.27	Non compliant
4.	Land Engineering	£1,187,174.06	Not checked	Only 3 lowest checked
5.	WH Kirkwood	£1,216,576.08	Not checked	Only 3 lowest checked

The client requested that the scope of works was reduced in order to reduce costs and therefore a schedule of savings was issued to the two lowest tenderers for approval based on their submitted rates.

The first and second lowest tenderer's prices were fairly close together and within circa £11K. The third lowest tenderer's price (from Laing) was approximately £105K more than the lowest tenderer and was non compliant (refer section 4.3b) and therefore this tender was not pursued any further.

The two lowest tenders received were revised as follows:

		<u>Before Savings</u>	<u>After Savings</u>	<u>Difference</u>
1.	Fleming Masonry	£1,060,437.27	£679,991.17	-£380,446.10
2.	Clark Contracts	£1,071,800.23	£731,608.75	-£340,191.48

- 3.3 CBC withdrew from the tender process and did not submit a tender.
- 3.4 At tender stage the specified window installer did not provide a quotation until the last minute before the tender return date and the quote that was provided was withdrawn and updated. This caused a problem for the tenderers because some estimated the price based on provisional information and some tenderers such as Clark Contracts excluded these works altogether. To be fair to all parties post tender these works were omitted and replaced with a provisional sum. Refer Appendix 1 for details.

#### **4.0 DETAILS OF ERRORS/QUALIFICATIONS IN THE CONTRACTORS' TENDERS**

##### **4.1 Fleming Masonry's tender (lowest complete and unqualified tender)**

- a) Refer Appendix B for tender correspondence and details of tender queries raised by the quantity surveyor and the contractor's reply.
- b) The contractor's final tender is shown in table 3.2.

##### **4.2 Clark Contract's tender (second lowest complete and unqualified tender)**

- a) Refer Appendix C for tender correspondence and details of tender queries raised by the quantity surveyor and the contractor's reply.
- b) The contractor's tender was qualified and the windows installation works were not priced. Refer section 3.4 of this report for details. The contractor increased their tender to remove these qualifications and to price the outstanding works.
- c) The contractor's final tender is shown in table 3.2.

##### **4.3 Laing Traditional Masonry's tender (qualified and therefore non compliant)**

- a) Refer Appendix D for tender correspondence and details of tender queries raised by the quantity surveyor and the contractor's reply.
- b) The contractor's tender was heavily qualified and contained sixty three qualifications. The contractor was given the opportunity to withdraw these (Refer Appendix D) however they did not withdraw all of them. JCT Practice Note 6, page 8, clause 32 states in this instance that "A tenderer who submits a qualified tender should be given an opportunity to withdraw the qualification so as to produce a compliant tender ... If the tenderer refuses the tender should be rejected". ARPL therefore recommend that this tender is rejected in accordance with the requirements of JCT Practice Note 6.
- c) The contractor's final tender is shown in table 3.2.

#### **5.0 CDM REGULATIONS COMMENTS**

- 5.1 The project is notifiable under the CDM 2007 Regulations.
- 5.2 The CDM Pre-Construction Information Package was issued to all tenderers.

## 6.0 CONCLUSION AND RECOMMENDATIONS

The revised tender from Fleming Masonry (after the schedule of savings) in the sum of £679,991.17 is competitive and unqualified. It is approximately £52K or 7% lower than the next tenderer.

If the current scope of works is acceptable (i.e. within client's budget) then ARPL Architects would recommend that this tender is suitable for acceptance subject to evidence of the contractor's insurances and agreement of the following:

1. Contract start date, completion date, contract programme
2. Interface with the public realm works, third parties etc. and inclusion in programme referred to in 1. above
3. Terms of any warranties and bonds. (Note that all of the tendered prices include for a bond)

Signed  
ARPL Architects Ltd  
Architects, Quantity Surveyors and CDM Co-ordinators  
24th August 2012