

Cabinet  
2 October 2012

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

**Present**

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

**Also Present**

John Easdale.

**In Attendance**

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

**Also In Attendance**

A. Collins, iEmployee Experience.

**Chair**

Councillor Gibson in the Chair.

**Apologies for Absence**

Anthea Dickson and John Ferguson.

**1. Declarations of Interest**

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

**2. Minutes**

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

**3. Employee Engagement Survey 2012**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

constitution.

## **7. Fairer North Ayrshire Funding**

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

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

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

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

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

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

## **8. Neighbourhood Planning Approach: Proposed Boundaries**

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

The report presented a number of options with regard to the establishment of common boundaries in support of the development of a Neighbourhood Planning Approach across North Ayrshire. These intermediate boundaries would provide the basic geography upon which more detailed needs analysis of neighbourhoods and localities will be conducted. The optimum boundary configuration will be informed by the most up-to-date needs-based data and, where possible, provide

the best fit to existing settlements, transport links and topography. Partnership agreement on the new common boundaries will be an essential stage in facilitating a coordinated programme of Community Planning Partnership (CPP) resource re-alignment, developing co-location of services and other potential joint working arrangements across neighbourhoods.

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

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

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

## **9. Chief Social Work Officer Annual Report**

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

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



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

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

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

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

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

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

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

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

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

A CSGN Development Fund was announced by Scottish Ministers in May 2010. The fund is geared towards projects which tackle the transformation of areas suffering from multiple deprivation, lack of access to green space and the blight of vacant and derelict land. Initially, early delivery projects to realise the Green Network on the ground were identified and some 3 rounds of funding have now been distributed by CSGN. The Council and other partners (Ayrshire Joint

Planning Unit, Irvine Bay Regeneration Company) have been successful in securing over £200,000 in CSGN funding since 2010 for a variety of projects as well as for the 2-year appointment of a CSGN Co-ordinator for the Ayrshire and Arran Green Network. More details of the funding awards were contained within Appendix 3.

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

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

## **11. Asset Management Plans Update on Progress**

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

The former Executive approved the Corporate Asset Management Strategy at its meeting on 29 March 2011, having previously approved six themed asset management plans covering Property, Roads, Housing, Open Space, Fleet and ICT. Each plan also has an Action Plan to ensure continued development of the Council's approach to its core assets.

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

Noted.

## **12. A737 Trunk Road Improvements – Update On Progress**

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

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

A steering group comprising Transport Scotland, the Council and respective

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

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

Noted.

### **13. Corporate Equality Group**

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

Noted.

### **14. Environment and Infrastructure Policy Board**

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

Noted.

### **15. Finance and Corporate Support Policy Board**

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

Noted.

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

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

The approved Housing Revenue Account (HRA) capital budget for the financial year 2012/13 makes provision for the new housing project at Harley Place, Saltcoats. This budget allocation amounts to £704,453, which is sufficient to

complete the proposed works and all professional and statutory consent costs associated with this project. The former Executive agreed to demolish what was previously a children's home and progress with the design and tender of five new houses for rent on the cleared site. The Executive noted the need for two specially adapted properties in the Saltcoats area.

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

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

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

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

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

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

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

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

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

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

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

The meeting ended at 4.00 p.m.