

LEADERSHIP PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 15th March 2011 at 10.00 a.m.

Present: Councillors Bill McIntosh (Chair), Douglas Campbell, Peter Convery, Hywel Davies, Nan McFarlane, Robin Reid and Margaret Toner.

Attending: D. Anderson, Chief Executive; H. Garland, Executive Director – Children and Community; E. Howat, Executive Director – Corporate Services; L. Bloomer, Executive Director – Development and Environment; V. Andrews, Head of Legal and Administration; C. Monaghan, Head of Policy, Performance and Communication; D. Alexander, Head of Corporate Resources; I. Woodburn, Head of Customer and Community Services; M. Newall, Head of Planning and Enterprise; J. McQuillan, Head of Property and Neighbourhood Services; B. McInroy, Head of Service and Scholl Management; R. MacDonald, Head of Community Development; J. MacMillan, Community Learning and Development Manager; D. Thomson, Trading Standards and Environmental Health Manager; D. Robertson, Public Communications Manager; D. Knight, Committee Services Officer; and A. Gerrish, Committee Administrative Officer.

Community Services – Housing and Customer First.

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1. Customer Services Strategy 2011.

Reference was made to the Minutes of 18th August 2009 (Page 436, paragraph 9) and there was submitted a report (issued) of 1st March 2011 by the Executive Director – Development and Environment

- (1) providing an updated Customer Services Strategy for the period 2011-2013, attached as Appendix 1 of the report;
- (2) seeking approval of this revised Strategy, which consolidated the work that had been undertaken since 2009 and which outlined the framework for the work that would be completed over the next two to three years to improve customer focus;
- (3) advising that the Strategy
 - (a) had identified three main channels for customer interaction as follows:-
 - face-to-face;
 - telephone; and
 - online;
 - (b) proposed a planned migration down this hierarchy on the basis of more convenient access for customers and significant efficiency gains for the Council;

- (c) outlined a programme of cultural change within the Council in relation to customer service and proposals to contribute to organisational efficiency across the Council; and
 - (d) identified performance management indicators and targets for the next three years; and
- (4) highlighting that, if approved, a shortened version of the Strategy could be prepared for the public and staff.

A question was raised by a Member of the Panel in relation to how customer satisfaction was measured and the Head of Customer and Community Services responded accordingly.

Decided: having recorded their appreciation of the work undertaken by the Head of Customer and Community Services and his staff

- (i) to approve the revised Customer Services Strategy 2011; and
- (ii) to note the intention to proceed with a network of Customer Service Centres, the subject of a separate report to this Panel later in the Agenda.

Development and the Environment - Sustainability and the Environment.

2. Maintaining Scotland's Roads – Audit Scotland Follow-Up Report.

Reference was made to the Minutes of the Development and Environment Standing Scrutiny Panel of 22nd February 2011 (Page 168, paragraph 2) when that Panel had decided that Audit Scotland's Follow-up Report be reported to this Panel and there was submitted a report (issued) of 2nd March 2011 by the Executive Director – Development and Environment

- (1) advising of the content and outcomes from the Audit Scotland follow-up report entitled 'Maintaining Scotland's Roads' and informing of the position of the Roads Service in relation to these outcomes; and
- (2) providing an assessment of the Council's position against the Report's recommendations as highlighted within the report and its appendix.

Decided: to note the summary and recommendations of the Audit Scotland follow-up report, attached as an Appendix to the report.

3. Covert Activities Carried out by South Ayrshire Council Services.

There was submitted a report (issued) of 14th February 2011 by the Executive Director – Development and Environment

- (1) advising of the inspection by the Office of the Surveillance Commissioner (OSC) of the Council's arrangements for the use of covert techniques; and
- (2) seeking endorsement of revisions of the Council's policies and procedures to address the four recommendations of the Commissioner's report concerning the requirement:-

- (a) for policy documents to refer to the way 'product' (surveillance material) was retained, stored and destroyed;
- (b) for unique reference numbers to be allocated to operations centrally to each Service rather than by each Service;
- (c) for additional information to be recorded on the central register that the OSC inspected; and
- (d) for cancellation forms to contain additional information.

Decided: having recorded their appreciation of the work undertaken by the Trading Standards and Environmental Health Manager and the staff within Legal Services, to approve the revised Council Policies and Procedures on the Use of Covert Human Intelligence Sources and the Use of Surveillance for introduction on 1st April 2011.

Development and the Environment - Economic Development, Tourism and Leisure.

4. Sportscotland Funding for Active Schools.

There was submitted a report (issued) of 21st February 2011 by the Executive Director – Children and Community

- (1) advising of grant funding from Sportscotland of £291,960 each year for the period 2011-2015 to deliver the Active Schools Network which offered all children and young people the opportunities and motivation to adopt active, healthy lifestyles, now and into adulthood;
- (2) indicating that 2010/2011 was the last year of the current three year Partnership Agreement between Sportscotland and the Council and that Sportscotland had since agreed to commit to the next four year phase;
- (3) recommending that the eleven employees currently on fixed term contracts, due to expire on 31st March 2011, be issued with permanent contracts as a result of the next phase of funding; and
- (4) seeking approval of the expenditure that would enable the Council to issue these members of staff with permanent contracts.

Decided:

- (a) to note the grant funding received; and
- (b) to approve the proposed expenditure and the issuing of permanent contracts to the current Active Schools staff.

Corporate and Community Planning - Corporate, Strategic and Community Planning.

5. Consultation by Local Government Boundary Commission for Scotland – Determining Councillor Numbers.

There was submitted a report (issued) of 2nd March 2011 by the Executive Director – Corporate Services

- (1) advising
 - (a) that the Boundary Commission was seeking views on the number of Councillors that would be appropriate to have in each local authority and that it was intended that these would come into force for the Local Government elections in 2017;
 - (b) that the Commission intended to consult further on possible methodologies for setting Councillor numbers and that this consultation would take place during 2011/12 before deciding in 2012/13 on how precisely it would approach each Council's review;
 - (c) that the Commission was of the view that there were merits in taking a uniform, objective and transparent approach to setting Councillor numbers for each local authority in Scotland with the aim of ensuring a degree of consistency in the number of electors per Councillor and in the workload of Councillors; and
- (2) seeking the views of the Panel in respect of the Consultation by the Local Government Boundary Commission for Scotland on determining councillor numbers; and
- (3) intimating that a response would be required by the closing date of 31st March 2011.

Decided: to approve the response to the Boundary Commission Consultation as outlined within the Appendix to this report and to request that the Executive Director – Corporate Services submit the Consultation response on behalf of the Council by 31st March 2011.

Corporate and Community Planning – Resources and Performance.

6. Council Tax Collection Statistics – Cash at 28th February 2011.

There was submitted a report (issued) of 3rd March 2011 by the Head of Corporate Resources advising

- (1) of the collection levels which had been achieved in respect of Council Tax to 28th February 2011 and the action which had been taken to achieve Best Value in the collection thereof;
- (2) that the collection rate had been 93.22 per cent against the target collection of 93.50 per cent which equated to a negative variation of £177,268.00; and

- (3) that in order to address increased customer demand due to the economic recession, Corporate Services staff were working controlled periods of overtime to ensure accurate benefit awards together with the prompt rebilling and recovery of Council Tax and that, in the event of non-payment, Council Tax arrears were now being passed earlier to Stirling Park Sheriff Officers, to maximise recoveries with stringent efforts therefore being made to address the negative variance.

Decided:

- (a) to approve the contents of the report; and
- (b) to request the Head of Corporate Resources to provide updated figures to the next meeting of this Panel.

7. Write-off of Non-domestic Rates (Specific).

There was submitted a report (issued) of 3rd March 2011 by the Head of Corporate Resources

- (1) seeking approval to write-off rates relating to specific cases for 2008/09 and 2009/10, totalling £463,916.38, in accordance with the Council's policy; and
- (2) advising that the write-off was fully provided for in the Abstract of Accounts as at 31st March 2010 and that debts would continue to be pursued.

Decided:

- (a) to approve the write-off of rates amounting to £97,517.14 for 2008/09 and £366,399.24 for 2009/10; and
- (b) to agree that in respect of cases under £5,000 that have been approved for write-off by the Executive Director – Corporate Services in accordance with section C32 of the Council's Scheme of Delegation, that in future these be reported via the Information Bulletin for Members.

8. Write-off of Housing Benefits Overpayments.

There was submitted a report (issued) of 3rd March 2011 by the Head of Corporate Resources

- (1) outlining procedures for the write-off of housing benefit overpayments once all attempts to recover such debts had been exhausted (and without prejudice to future recovery);
- (2) seeking approval to write-off housing benefit overpayments of £151,630.70 in accordance with the Council's policy;
- (3) advising that the accounts submitted for write-off would be contained within the existing bad debt provision; and

- (4) proposing that as 345 of the 348 cases being submitted for write-off were under £5,000, and could be individually approved for write-off by the Executive Director – Corporate Services in accordance with section C32 of the Council's Scheme of Delegation, it might be more appropriate, given the level of write-off, to seek approval of global write-off arrangements.

Decided:

- (a) to approve the write-off of housing benefit overpayments totalling £151,630.70 as detailed in the Appendix of the report; and
- (b) to agree that in respect of cases under £5,000 that have been approved for write-off by the Executive Director – Corporate Services in accordance with section C32 of the Council's Scheme of Delegation, that in future these be reported via the Information Bulletin for Members.

9. Revenue Budget 2012/13.

There was submitted a report (issued) of 4th March 2011 by the Executive Director - Corporate Services

- (1) outlining a process/timetable and strategy for the delivery of the 2012/13 Revenue Budget as outlined within the report;
- (2) reporting that revenue funding for local government in Scotland was forecast to reduce by 12% in real terms over the period 2011/12 to 2013/14 and highlighting that this was a significant reduction and it was likely that an extensive service re-design would be required to allow the Council to provide statutory services and address key priorities;
- (3) advising that the 2011/12 financial settlement for South Ayrshire was 2.1% lower than the 2010/11 settlement and that the Council had required to identify efficiencies of £9.010m to approve a balanced budget;
- (4) informing that financial settlement figures for 2012/13 and 2013/14 were unlikely to be available until after the Scottish Parliament elections and that there was also the possibility of an in-year budget reduction following the election and indicating that the Cabinet Secretary for Finance and Sustainable Growth had provided illustrative figures for the period 2012/13 to 2014/15 but these merely provided a framework;
- (5) highlighting that finance staff continued to work on detailed projections for 2012/13 and 2013/14 based on the 12% reduction over the period 2011/12 to 2013/14 previously intimated and advising that, on this basis, a reduction in funding of at least 5% or £11m per annum was likely and, in addition, efficiencies might be required to meet increased service demands and unavoidable inflationary increases equating to £6.5m in 2011/12; and
- (6) intimating that it was also anticipated that capital funding would reduce significantly over a similar period and that a draft capital plan for the period 2012/13 onwards had already been discussed with Elected Members.

A question was raised by a Member of the Panel enquiring when the financial settlement figures for 2012/13 and 2013/14 would be available and the Executive Director – Corporate Services responded accordingly.

Decided:

- (a) to request the Executive Director – Corporate Services to develop detailed budget projections for 2012/13 onwards; and
- (b) to approve the process/timetable for the 2012/13 budget.

10. National Contractual Arrangements for Water and Waste Water Services.

There was submitted a report (issued) of 3rd March 2011 by the Executive Director - Corporate Services

- (1) advising
 - (a) that the McClelland review of Public Sector Procurement had been published in Spring 2006 and had been widely welcomed by Ministers, the various stakeholders in Scottish Public life and many private sector interests and that this review had recommended the development of national contracts for category A commodities (goods or services that were standard or of a similar nature across the public sector);
 - (b) that Procurement Scotland had been launched in March 2008 with a remit of developing and implementing procurement strategies for national category A commodities on behalf of all Scottish public bodies; and
 - (c) that agency arrangements were now in place for national contracts for the procurement of electricity and natural gas which allowed Procurement Scotland to purchase electricity and natural gas on behalf of Councils; and
- (2) proposing
 - (a) that it was intended that Procurement Scotland would act for and on behalf of public bodies through an agency agreement with authorities being asked to commit to the agency agreement;
 - (b) that the Council's existing contract for water and waste water allowed the Council to join the national contract when it comes into force; and
 - (c) that the contract had now been awarded to Business Stream, the Council's existing supplier.

Decided: to authorise the Executive Director – Corporate Services to sign an agency agreement with Procurement Scotland on behalf of South Ayrshire Council for the purchase of water and waste water services.

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11. Scottish Futures Trust - Hub.

There was submitted a joint report (issued) of 3rd March 2011 by the Executive Director – Development and Environment and the Executive Director – Corporate Services

- (1) advising
 - (a) that all NHS Boards and local authorities in Scotland have been asked by the Scottish Government (via the Scottish Futures Trust) to participate in *hub*, an initiative which was intended to improve the planning, procurement and delivery of infrastructure that supported community services;
 - (b) that the Scottish Futures Trust was overseeing the roll-out of the hub initiative across five geographical territories in Scotland, each encompassing approximately one million citizens; and
 - (c) that the hub initiative involved a strategic long-term approach to the procurement of community-based infrastructure projects through public/private joint venture arrangements in five local hub Territories across Scotland;
- (2) informing that the Council would form part of the South West Territory along with other potential participants and that initial meetings of the potential South West Territory participants and the Scottish Futures Trust had been progressing since late 2010 in order to progress initial considerations around the hub model and associated Letter of Intent and Memorandum of Understanding;
- (3) outlining the financial support that would be provided to assist with the hub set-up and procurement costs for the South West Territory; and
- (4) seeking approval to participate in the South West Territory hub and proposing that the Executive Director – Development and Environment attend Territory Board meetings with delegated authority being granted as required.

A question was raised by a Member of the Panel in relation to the legal implications of participating in the hub and the Head of Legal and Administration responded accordingly.

Decided:

- (i) to note the progress being made and the next steps in establishing the South West Territory;
- * (ii) that the Executive Director - Development and Environment represent the Council on the South West Territory Board;

- * (iii) that the Executive Director - Development and Environment be given delegated authority such that the Territory Board could take key decisions relating to the procurement of a private sector partner up to the point of including the Council as a named participant within the Official Journal of the European Union Notice to be issued on behalf of the participating authorities;
- (iv) that the Executive Director - Development and Environment sign the Letter of Intent and the South West Territory Memorandum of Understanding on behalf of the Council; and
- (v) to note that further progress on the development of the hub initiative in the South West Territory would be reported in due course and that a briefing would be provided for Elected Members as appropriate in progressing considerations.

12. Declarations of Interest.

Councillor Convery advised that he was the Chair of the South Ayrshire Energy Agency and Councillor Douglas Campbell advised that he was member of the South Ayrshire Energy Agency and both withdrew from the meeting during consideration of the report regarding the Council Tax Rebate for Energy Efficiency - Update.

13. Council Tax Rebate for Energy Efficiency - Update.

Reference was made to the meeting of 23rd November 2010 (Page 609, paragraph 19) and there was submitted a joint report (issued) of 16th February 2011 by the Executive Director – Development and Environment and the Executive Director – Corporate Services

- (1) providing an update on the progress being made to implement a Council Tax rebate scheme for energy efficiency;
- (2) proposing
 - (a) to sign up to the British Gas offering but refer any enquiries to the Energy Agency who would be able to advise if there were any other offers available to the residents that represented better value for them; and
 - (b) to add the fuel switching offering from Scottish Power and the external wall insulation offering from Scottish and Southern Energy once written agreement could be made with each which would then become available to residents;
- (3) advising that the Energy Agency would act as the Council's managing agent to administer the marketing and management of the installations for the fuel switching and external wall insulation offerings and informing that British Gas would deal directly with enquiries for their offering; and
- (4) reporting that if any of the other CERT funders responded with offerings that would enhance the proposals by offering rebates for other energy efficiency measures or higher levels of funding then the scheme could be adjusted to suit.

A question was raised by a Member of the Panel in relation to the installation of external wall insulation and the Head of Property and Neighbourhood Services responded accordingly.

Decided: to approve

- (i) the signing of the agreement with British Gas;
- (ii) the addition of the fuel switching and external wall insulation offerings once agreement could be made with the funders;
- (iii) the Energy Agency acting as managing agent; and
- (iv) further development of the Scheme if there was interest from the other potential funders.

14. Exclusion of press and public.

The Panel resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded during consideration of the remaining items of business on the grounds that they involved the likely disclosure of exempt information in terms of paragraphs 6 and 9 of Part 1 of Schedule 7A of the Act and that these reports should remain confidential.

15. Contractual Arrangements for Children and Families.

There was submitted a report (issued to members only) of 25th February 2011 by the Executive Director – Children and Community requesting an extension to contractual arrangements for Aberlour Ardfin Respite Services and Quarriers Young People Housing and Support Services.

Decided: to approve

- (1) a two year extension to Quarriers Young People Housing and Support Service's contract to ensure continuity of care and secure capital investment from Quarriers; and
- (2) a one year extension to Aberlour Ardfin Respite Service's contract to ensure continuity of care to children with complex disabilities and to continue a joint funded contract with NHS Ayrshire and Arran who had agreed to continue to fund for 2011/12, after which time the contract might go out to tender.

16. Dry Recyclates – Contract Extension.

There was submitted a joint report (issued to members only) of 7th March 2011 by the Executive Director – Development and Environment and the Executive Director – Corporate Services providing an update on matters relating to the existing joint contract arrangements with North Ayrshire Council for the disposal of dry recyclate materials and seeking approval for proposed actions as outlined within the report.

Decided: to authorise the Executive Director – Development and Environment to negotiate a short-term extension to the existing contractual arrangements with Lowmac Alloys Limited.

Community Services – Housing and Customer First.

17. Development of Customer Service Centres.

There was submitted a report (issued to members only) of 1st March 2011 by the Executive Director – Development and Environment outlining proposals for the development of a network of Customer Service Centres with provision for these Centres having been made in the Capital Programme for 2011/12.

Questions were raised by Members of the Panel in relation to the negotiations taking place for the purchase or lease of Centres, the timescales involved and proposed locations for the Customer Services Centres and the relevant Officers responded accordingly.

Decided:

- (1) to approve, in principle, the proposals to introduce a network of Customer Service Centres in the following locations and as outlined within the report:-
 - (a) Ayr;
 - (b) Girvan;
 - (c) Troon;
 - (d) Maybole; and
 - (e) Prestwick; and
- (2) to request the Executive Director – Development and Environment to submit proposals for purchase or lease to a future meeting of this Panel; and
- (3) to submit a progress report on negotiations to the next meeting of this Panel on 19th April 2011 together with proposals for possible alternative locations for the Customer Service Centres.

Development and the Environment - Economic Development, Tourism and Leisure.

18. West of Scotland Loan Fund Ltd.

There was submitted a report (issued to members only) of 2nd March 2011 by the Executive Director – Development and Environment providing an update on the approval of loan funds under delegated authority from this Council's Ayrshire Development Funds held by the West of Scotland Loan Fund Ltd.

Decided: to note the position and the approval given under delegated powers of a loan.

Development and the Environment - Sustainability and the Environment.

19. Review of the Condition of Roads in South Ayrshire.

Reference was made to the meetings of the Development and Environment Standing Scrutiny Panel

- (1) of 16th February 2010 (Page 139, paragraph 4); and
- (2) of 25th January 2011 (Page 110, paragraph 6) when that Panel, having considered a report by of 19th January 2011 by the Executive Director – Development and Environment detailing the outcomes from the recent review of the road condition in South Ayrshire, had agreed, that the findings of this Review be presented to the Leadership Panel with the recommendation that these be taken into consideration when the Council's budget was being set for the financial year 2012/13 and there was submitted a report (issued to members only) of 2nd March 2011 by the Executive Director – Development and Environment in relation to this matter.

Councillor McDowall, Chair of the Development and Environment Standing Scrutiny Panel addressed the Panel and summarised the outcomes from the review of the condition of the roads in South Ayrshire.

Questions were raised by Members of the Panel in relation to achieving Best Value with the funding available, the materials being used to repair roads, the works that required to be completed to improve the roads and the costs involved, how would funding be allocated, managing the deterioration and the introduction of a Roads Asset Management Plan and the Head of Planning and Enterprise responded accordingly.

Decided: having recorded their appreciation of the work undertaken by Councillor McDowall, as Chair of the Development and Environment Standing Scrutiny Panel and the Head of Planning and Enterprise and his staff

- (a) to support the action being taken by the Head of Planning and Enterprise in maintaining the Council's roads given the present financial constraints; and
- (b) to agree that the Roads Service submit a detailed Road Condition Improvement Plan for 2011/12 to the next meeting of the Leadership Panel on 19th April 2011 identifying and maximising the additional £1.5m funding allocated for the financial year 2011/2012.

The meeting ended at 11.35 a.m.