

## EAST AYRSHIRE COUNCIL

### GOVERNANCE AND SCRUTINY COMMITTEE - 28 APRIL 2011

#### MATTERS ARISING UPDATE REPORT

##### Report by Executive Director of Finance and Corporate Support

#### 1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to provide the Committee with a consolidated response to information requests made by Members at the previous meeting.

#### 2. BACKGROUND

- 2.1 As Members are aware, during the course of discussions at meetings of the Governance and Scrutiny Committee, Members, from time to time, seek information or clarification from Officers on particular matters which requires to be provided after the meeting. Such requests arise from, and reflect, the role of the Committee in respect of its scrutiny function.
- 2.2 The Committee at its meeting held on 3 April 2009 agreed that, in future, a report be submitted to the Committee to consolidate all responses to information requests made by Members of the Committee at previous meetings or, otherwise, provide an explanation as to why the relevant information is not yet available. This approach will formalise the various matters arising into report format thereby facilitating presentation of the information to Members and recording of the origin and progress of the issues raised.

#### 3. UPDATE ON MATTERS ARISING

- 3.1 The outstanding matters arising from the last meeting of the Committee and the relevant information is set out below, namely:-

**3.1.1 Finance and Service Strategy Report based on Period 11: 6 February 2011: Approved Severance Packages 2010/11: Total Costs (GSC 11 March 2011, Item 12 (iii)(a), Page 1571, 07/12)**

**Information Requested:** That the Executive Director of Finance and Corporate Support provide, within the Matters Arising Update Report to the meeting to be held on 28 April 2011, information on the total cost incurred in 2010/11 through approved severance packages taken up by Council employees.

**Response by the Executive Director of Finance and Corporate Support:**

1. During Financial Year 2010/11, a total of 153 severance arrangements for non-teaching employees were approved either by Cabinet or under the Chief Executive's or Head of Human Resources' delegated authority. Of this total 11 applications were not taken forward due to the employees concerned changing their decisions and remaining in the

Council's service or due to the employees concerned being successfully redeployed. This resulted in 142 employees leaving the Council's service during Financial Year 2010/11 on the grounds of redundancy, efficiency of the service or the Rule of 85. A breakdown of the numbers in each category by Department is shown in Table 1 below:-

**TABLE 1**

<b>CATEGORY</b>	<b>EDUCATIONAL &amp; SOCIAL SERVICES</b>	<b>FINANCE &amp; CORPORATE SUPPORT *</b>	<b>NEIGHBOURHOOD SERVICES</b>	<b>NO.</b>
<b>Redundancy</b>	36	15	52	103
<b>Efficiency of the service</b>	12	13	10	35
<b>Rule of 85</b>	1	3	nil	4
<b>Total</b>	<b>49</b>	<b>31</b>	<b>70</b>	<b>142</b>

\* includes Chief Executive's Office and Internal Audit

2. The financial implications arising from the 142 employees who left the Council's service during Financial Year 2010/11 on the grounds of redundancy, efficiency of the service or the rule of 85 are:

• Redundancy Payments	-	£1,844,776
• Strain on the Fund costs	-	£2,776,177
• Other pension costs	-	£706,900
• Total costs to the Council	-	£5,327,853
• Ongoing Pension costs to the Council	-	£215,552
• Total annual savings to the Council (net of ongoing pension costs)	-	£3,133,008

3. Of the 142 severance arrangements agreed by Cabinet during financial year 2010-2011, 85 of these were as a consequence of decisions taken by Cabinet in setting the Council's budget for 2011-2012. A breakdown of these 85 by Department and category of severance is shown in Table 2 below:-

**TABLE 2**

<b>DEPARTMENT</b>	<b>REDUNDANCY</b>	<b>EFFICIENCY</b>	<b>RULE OF 85</b>	<b>TOTAL</b>
Educational & Social Services	25	6	Nil	31
Finance & Corporate Support	8	7	Nil	15
Neighbourhood Services	37	2	Nil	39
<b>Total</b>	<b>70</b>	<b>15</b>	<b>Nil</b>	<b>85</b>

The costs associated with these severances are included in the figures set out in Section 2 above.

### **3.1.2 Matters Arising Update Report: Private Water Supplies (GSC 1 April 2011, Item 2 (i)(a), Page , 07/12)**

**Information Requested:** That the Executive Director of Finance and Corporate Support provide, within the Matters Arising Update Report to the next meeting, information on the powers available to the Council where a private water supply to a premise fails to meet the required standard.

#### **Response by the Executive Director of Finance and Corporate Support:**

Where a private water supply fails to meet the required standard, a Notice under Section 76 of the Water (Scotland) Act 1980 can be issued requiring the supply to be brought up to standard within a specified period of time. Breach of such a Notice is reportable to the Procurator Fiscal with the fine in the event of conviction being up to Level 5 on the Standard Scale. In the case of non compliance with the Notice, the Council can intervene, carry out the necessary work, and recover expenses in the usual way. The Guidance to the Private Water Supply Regulations suggests an intimation letter should be sent to the responsible person for the supply a minimum of 14 days before service of the Notice advising that a Notice is to be served.

### **3.1.3 Matters Arising Update Report: Multiple Domestic Noise Complaints (GSC 1 April 2011, Item 2(i)(a), Page , 07/12)**

**Information Requested:** That the Executive Director of Finance and Corporate Support provide within the Matters Arising Update Report to the next meeting, further clarification as to how many of the 1,075 complaints received during 2009/10 could be attributed, whether collectively or individual, to the 166 premises identified as having been subject to more than one complaint, and information on how many of the 166 premises were also being dealt with by the Anti-Social Behaviour Team.

#### **Response by the Executive Director of Finance and Corporate Support:**

The information held by the Environmental Health Section relative to domestic noise complaints is in such a format that a manual review of the 1,075 noise complaints received during 2009/10 would be required in order to identify how many of these could be attributed to the 166 premises identified as having

been subject to more than one complaint. It is considered that the amount of work involved in this would not represent the most effective use of Officers' time.

Similarly, a manual review would require to be carried out of records held by the Environmental Health Section in order to determine which of the 166 premises are also being dealt with by the Anti-Social Behaviour Team and, again, this is considered not to be the best use of Officers' time. However, further investigation is currently ongoing to determine whether the requested information can be more easily obtained from the information/records held by the Anti-Social Behaviour Team, and the outcome of this will be reported to the next meeting of the Committee within the Matters Arising Update Report.

### **3.1.4 Matters Arising Update Report: Food Hygiene Inspections outwith A and B Frequency Categories (GSC 1 April 2011, Item 2(i)(a), Page , 07/12)**

**Information Requested:** That the Executive Director of Finance and Corporate Support provide within the Matters Arising Update Report to the next meeting, information on the number of premises at which food hygiene inspections were carried out, outwith the A and B frequency categories (6 months and 12 months)

#### **Response by the Executive Director of Finance and Corporate Support:**

The number of food hygiene inspections carried out in Categories C, D and E for 2009/2010 are as follows, namely:-

- Category C (18 month inspection frequency): 552 (KPI 97%);
- Category D (24 month inspection frequency): 144 (KPI 100%); and
- Category E (36 month inspection frequency): 340 (KPI 95%).

### **3.1.5 Matters Arising Update Report: Occupancy Levels within Schools (GSC 1 April 2011, Item 2(ii)(b), Page , 07/12)**

**Information Requested:** That the Executive Director of Educational and Social Services provide, within the Matters Arising Update Report to the next meeting, information on occupancy levels within individual schools in East Ayrshire.

#### **Response by the Executive Director of Educational and Social Services:**

**Table 3: Primary Occupancy by School 2009/10**

	%
	Occupancy
Annanhill PS	88.5
Auchinleck PS	62.5
Barshare PS	55.2
Bellfield PS	59.5
Bellsbank PS	49.0
Catrine PS	58.5
Crosshouse PS	67.7

**Table 4: Secondary Occupancy by School 2009/10**

	%
	Occupancy
Auchinleck Academy	65.9
James Hamilton Academy	66.8
Kilmarnock Academy	67.2
St Joseph's Academy	67.6
Cumnock Academy	72.3
Loudoun Academy	78.5
Doon Academy	78.6

Dalmellington PS	67.5	Grange Academy	83.9
Dalrymple PS	86.9	Stewarton Academy	92.5
Darvel PS	83.9		
Drongan PS	53.4		
Dunlop PS	88.5		
Fenwick PS	76.3		
Galston PS	60.3		
Gargieston PS	84.8		
Greenmill PS	46.7		
Hillhead PS	53.5		
Hurlford PS	74.4		
Kilmaurs PS	65.4		
Kirkstyle PS	74.9		
Lainshaw PS	62.6		
Littlemill PS	33.8		
Loanhead PS	68.3		
Logan PS	38.2		
Mauchline PS	69.9		
Mount Carmel PS	57.0		
Muirkirk PS	53.9		
Nether Robertland PS	85.3		
Netherthird PS	70.9		
New Cumnock PS	49.0		
New Farm PS	75.1		
Newmilns PS	61.2		
Ochiltree PS	72.2		
Onthank PS	73.2		
Patna PS	42.4		
Shortlees PS	50.8		
Silverwood PS	56.7		
Sorn PS	52.0		
St Andrew's PS	80.7		
St John's PS	24.2		
St Patrick's PS	37.7		
St Sophia's PS	65.7		
St Xavier's PS	23.3		

#### **4. FINANCIAL/LEGAL/POLICY/COMMUNITY PLANNING/RISK IMPLICATIONS**

- None arising directly from this report.

#### **5. RECOMMENDATION**

- 5.1** The Committee is asked to note the information provided in response to the matters arising as set out in this report.

Alex McPhee  
Executive Director of Finance and Corporate Support

20 April 2011  
SN/SR

**LIST OF BACKGROUND PAPERS - NIL**

Any person wishing further information on this report should contact Bill Walkinshaw, Head of Democratic Services on Telephone Number (01563) 576135.

**Implementation Officer: Stuart Nelson, Administrative Officer.**