



North Ayrshire Council  
Comhairle Siorrachd Àir a Tuath

## North Ayrshire Council

A Meeting of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 14 February 2024** at **14:00** to consider the undernoted business.

### **Meeting Arrangements - Hybrid Meetings**

This meeting will be held on a predominantly physical basis but with provision, by prior notification, for remote attendance by Elected Members in accordance with the provisions of the Local Government (Scotland) Act 2003. Where possible, the meeting will be live-streamed and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>.

**1 Apologies**

**2 Declarations of Interest**

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

**3 Previous Minute**

The accuracy of the Minutes of the Meeting of the Council held on 13 December 2023 will be confirmed and the Minutes signed in accordance with Paragraph 7(1) of the Local Government (Scotland) Act 1973 (copy enclosed).

**4 Provost's Report**

Submit report by the Provost for the period covering 4 December 2023 - 4 February 2024 (copy enclosed).

**5 Leader's Report**

Submit report by the Leader of the Council for the period covering 4 December 2023 - 4 February 2024 (copy enclosed).

- 6 Minute Volume (issued under separate cover)**  
Submit, for noting and for approval of any recommendations contained therein, the Minutes of Meeting of committees of the Council held in the period 16 November 2023 - 25 January 2024.
- 7 Community Planning Partnership(CPP) Board: Minutes of Meeting**  
Submit report by the Executive Director (Communities and Education) on the Minutes of the Community Planning Partnership Board held on 7 December 2023 (copy enclosed).
- 8 Appointments to Committee**
- The Council is invited:
- (a) to note, in terms of Standing Order 8.5, that, effective from 12 February 2024 (i) Councillor McDonald replaces Councillor Foster on the Integration Joint Board and (ii) Councillor Kerr replaces Councillor McDonald on the Police and Fire and Rescue Committee; and
- (b) to consider nominations for the Vice Chair vacancy on the Police and Fire and Rescue Committee, which arises from the resignation from the Committee of Councillor McDonald.
- 9 Findings of Hearing Conducted by the Standards Commission for Scotland**  
Submit report by the Head of Service (Democratic) on the findings of a hearing by the Standards Commission for Scotland (copy enclosed).
- 10 Council Tax on Second Homes from 2024/25**  
Submit report by the Chief Executive on the new discretionary powers available under the Council Tax (Variation for Unoccupied Dwellings) (Scotland) Amendment Regulations 2023 and to seek approval to consult with our island communities on a proposal to revise the current policy on Council Tax charges for Second Homes within North Ayrshire (copy enclosed).
- 11 Housing Revenue Account (HRA) Capital Investment Plan, Revenue Budget and Rent Levels for 2024/25**  
Submit report by the Executive Director (Place) on the proposed HRA capital investment plan, revenue budget for 2024/25 and consequential rent levels (copy enclosed).
- 12 Questions**  
In terms of Standing Order 14, submit:-

**(1) a question by Councillor Marshall to the Cabinet Member for Education in the following terms:**

“Every three years or so, schools in Scotland participate in the Program for International Student Assessment (PISA), which objectively measures the performance of 15-year-olds in several subjects.

The mathematics results for Scotland over the last 20 years show a declining performance, particularly after 2012, when Curriculum for Excellence (CfE) was introduced.

The PISA scores for Mathematics were:

| Year | Score  |
|------|--------|
| 2003 | - 525, |
| 2006 | - 507  |
| 2009 | - 499  |
| 2012 | - 497  |
| 2015 | - 491  |
| 2018 | - 489  |
| 2022 | - 471  |

For each of these years what was the recorded achievement for NAC pupils in mathematics (failing which, numeracy)?”

**(2) a question by Councillor Donald Reid to the Cabinet Member for Health and Social Care in the following terms:**

“Justice Social Work Services is a service funded by the Scottish Government directly and overseen on their behalf locally by North Ayrshire HSCP.

Can the Cabinet Member confirm the total budget allocated to provide this service over the current financial year and the previous two years?

In line with the uplifts to cover wage increases seen elsewhere in council services, what was the uplift for these three years for justice social work services in North Ayrshire?”

**(3) a question by Councillor T. Ferguson to the Cabinet Member for Education in the following terms:**

“To ask the Cabinet Portfolio Holder for Education whether he is planning on removing controversial questions relating to sexual relationships from the 2024/25 Health and Wellbeing census for schools?”

**(4) a question by Councillor Kerr to the Leader of the Council in the following terms:**

"With Peel Ports announcing the permanent closure of the Irish berth, and the Cabinet Secretary for the islands stating that the new ferries may never sail from Ardrossan, does the Council Leader retain her faith that Humza Yousaf will protect the Ardrossan to Arran ferry service by delivering the necessary upgrades to Ardrossan Harbour, which he promised seven years ago as Transport Minister?"

**(5) a question by Councillor T. Ferguson to the Leader of the Council in the following terms:**

"To ask the Leader of the Council what plans have been made for Euro24 in North Ayrshire?"

**(6) a question by Councillor Cullinane to the Cabinet Member for Education in the following terms:**

"It has been reported in the media that the Cabinet Secretary for Education has written to a number of Councils where teacher numbers had fallen, threatening to financially penalise those Councils by withholding funding.

Can the Cabinet Member tell us whether North Ayrshire Council is one of the Councils the Cabinet Secretary has written to? If so, how many teaching posts did the Cabinet Secretary raise concerns about? And, what would the potential financial penalty be?"

**(7) a question by Councillor T. Ferguson to the Cabinet Member for Green Environment and the Economy in the following terms:**

"To ask the Cabinet Portfolio Holder for the Environment how much it will cost to make North Ayrshire Council buildings environmentally friendly?"

**(8) a question by Councillor Montgomerie to the Cabinet Member for Green Environment and the Economy in the following terms:**

"In 2021 North Ayrshire Council's improving recycling performance saw the Council become the second highest performing Council for recycling in Scotland. A press statement in the Cabinet Member's name was issued celebrating this achievement, achieved under the last Labour administration.

As far as I am aware, no press statement has been issued on SEPAs 2022 recycling report, can the Cabinet Member therefore advise us whether the Council's recycling performance went up or down in 2022?"

**(9) a question by Councillor T. Ferguson to the Cabinet Member for Green Environment and the Economy in the following terms:**

“To ask the Cabinet Portfolio Holder for the Environment to provide an update on North Ayrshires tree planting commitment?”

**(10) a question by Councillor Bell to the Cabinet Member for Finance in the following terms:**

“The Scottish Government have approved an 8.8% increase in water charges for 2024/25.

As the Cabinet Member knows, water charges are collected by the Council as part of the Council Tax collection. Can the Cabinet Member advise us how much water charges will increase across all Council Tax bands in North Ayrshire?”

**(11) a question by Councillor Marshall to the Cabinet Member for Finance in the following terms:**

“What is the policy of the Council in relation to Members’ retention of electronic communications such as emails, WhatsApp, etc on Council provided devices?”

**(12) a question by Councillor McLean to the Cabinet Member for Green Environment and the Economy in the following terms:**

“Can you please outline whether or not the following offences are dealt with by NAC under DPE provisions, and what, if any responsibilities are still retained by the police:

- A) Blocking a vehicle in a driveway
- B) Blocking access outside a driveway
- C) Double Parking
- D) On Grass parking
- E) on Kerb Parking
- F) parking on a narrow street prohibiting access/flow of traffic”

**(13) a question by Councillor McLean to the Leader of the Council in the following terms:**

“Are you aware DFM Shona Robison has written to the UK government regarding money being given to Irvine and Kilmarnock for Town Centre Redevelopment, saying that the money should not be coming to councils but should be passed to Holyrood for distribution - and do you agree with her complaints?”

**13 Motions**

In terms of Standing Order 15, submit:-

**(1) a motion by Councillor Marshall, seconded by Councillor Inglis, in the following terms:**

“That the Council agrees to the formation of a Member Officer Working Group to consider altering the governance arrangements of the Council from the present Cabinet system to a traditional Committee structure and thereafter provide a progress report to the meeting of Council on 15 May 2024. Member representation on the Group shall be 2 SNP, 2 Conservative, 2 Labour and 1 Independent.”

**(2) a motion by Councillor Billings, seconded by Councillor S. Ferguson, in the following terms:**

"The ferry service between Ardrossan and Arran continues to be disrupted by technical issues. With the closure of the Irish Berth at Ardrossan and the Caledonian Isles out of service for at least two months, the drop in passenger and vehicle capacity is causing significant harm to island life.

In addition, there is still no certainty about the future of Ardrossan Harbour continuing to be the mainland port for the Arran service. Although the delivery of new Glen Sannox ferry is yet again delayed, it is imperative that the refurbishment work starts on Ardrossan Harbour without delay so as to minimise the temporary transfer to Troon.

Therefore, North Ayrshire Council notes its concern about the immediate impacts that the current technical issues are having on the people and businesses of Arran. The Council would like to see urgent action taken to make full use of the Alfred ferry so that the Arran service has the maximum capacity possible as the island moves into the busy February half-term holiday period.

In addition, North Ayrshire Council notes its disappointment that the Scottish government is allowing the uncertainty about the future of Ardrossan to continue, given the importance that keeping Ardrossan Harbour as the mainland port for the Arran ferry service has for both the people of Arran and Ardrossan. The Council urges the Scottish government to allow the refurbishment work to start without delay.

To these ends, the Council instructs the Chief Executive to write to the following:

The Cabinet Secretary for Transport, Net Zero and Just Transition to restate the Council's concerns about the ongoing delay to the refurbishment work at Ardrossan Harbour and to urge her to enable the work to start without delay;

The Scottish Minister for Transport, the Chief Executive of Calmac and the Chief Executive of CMAL to state the Council's concerns about the detrimental impacts on the residents and businesses of Arran caused by the current lack of capacity on the Arran ferry service, due to the current technical issues. Further to ask them to work together to urgently enable full use of the Alfred ferry for both passengers and all vehicles so as to maximise ferry capacity."

**(3) a motion by Councillor McLean, seconded by Councillor S. Ferguson, in the following terms:**

“Council requests officers bring a paper to Council for noting regarding what the authority can do to mitigate poverty traps and whether any policies NAC currently has exacerbated this.”

**(4) a motion by Councillor McLean, seconded by Councillor S. Ferguson, in the following terms:**

“Council requests officers bring a paper to Council outlining the anti-social behaviour provisions within housing tenancies, what tenants can do regarding anti-social behaviours of neighbours, how the investigations of complaints is undertaken, and what can be done to streamline the eviction process in the most serious cases.”

**14 Urgent Items**

Any other items which the Provost considers to be urgent.

**Webcasting**

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If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact [dataprotectionofficer@north-ayrshire.gov.uk](mailto:dataprotectionofficer@north-ayrshire.gov.uk).

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## North Ayrshire Council Sederunt

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John Bell  
Timothy Billings  
Marie Burns  
Eleanor Collier  
Joe Cullinane  
Scott Davidson  
Anthea Dickson  
Stewart Ferguson  
Todd Ferguson  
Robert Foster  
Scott Gallacher  
John Glover  
Tony Gurney  
Alan Hill  
Cameron Inglis  
Margaret Johnson  
Amanda Kerr  
Christina Larsen  
Shaun Macaulay  
Jean McClung  
Nairn McDonald  
Matthew McLean  
Louise McPhater  
Davina McTiernan  
Tom Marshall  
Jim Montgomerie  
Ian Murdoch  
Donald Reid  
Donald L Reid  
Chloe Robertson  
Ronnie Stalker  
Angela Stephen  
John Sweeney

Chair:

Apologies:

Attending: