



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 December 2022** 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 Minutes

The accuracy of the Minutes of the Meeting of the Council held on 2 November 2022 will be confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4 Provost's Report

Submit report by the Provost for the period covering 24 October - 4 December 2022 (copy enclosed).

5 Leader's Report

Submit report by the Leader of the Council for the period covering 24 October - 4 December 2022 (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 10 June - 29 November 2022.

7 Congratulatory Motion

In terms of Standing Order 13.3, submit the undernoted motion, duly proposed and seconded, which seeks to congratulate, commend or recognise an individual or group in relation to their achievement or activities within North Ayrshire:-

(1) a motion by Councillor Gurney, seconded by Councillor McClung, in the following terms:

"Council congratulates Ardrossan Winton Rovers Under 14 Girls football team in their recent success in winning the Erin Cuthbert SW Region U14s league.

Council also notes that in doing so they remained undefeated for the whole season and commends both their success and their application. Achievements like this do not come easily, and this team turns up to train twice a week in all weathers as well as playing their games at the weekend.

Council recognises these girls as exceptional ambassadors for the women's game, their sport, Ardrossan Winton Rovers, and the local area."

8 Appointment to Committee

Council is invited to note the nomination of Councillor Burns to serve on the new Skills Investment Fund Sub-Committee of the Ayrshire Regional Economic Joint Committee, as one of the Council's current representatives on the joint committee.

9 Review of Accounting Arrangements for PFI and Similar Contracts

Submit report by the Head of Finance on revising the current methodology used to determine the statutory repayment of debt charged to the General Fund in relation to the Council's service concession contracts (copy enclosed).

10 Douglas Park: Proposals for Future Use of Tennis Court Area

Submit report by the Executive Director (Communities and Education) on current proposals relating to the Tennis Court area of Douglas Park, Largs, the outcome of recent public engagements, and a recommendation to progress alienation of the area from Largs Common Group with the purpose of leasing the area to Largs Tennis Club (copy enclosed).

Questions

In terms of Standing Order 14, submit the following questions for consideration in the undernoted order:-

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

"To ask the Cabinet portfolio holder for Education how many primary and secondary school children in North Ayrshire have received a free laptop or tablet as per the SNP election promises made in May 2021"

(2) a question by Councillor Donald Reid to the Cabinet Member for Place in the following terms:

"To ask the Cabinet Member for an update on the delivery of the 2022/23 roads, structures and street lighting maintenance programme."

(3) a question by Councillor Johnson to the Leader of the Council in the following terms:

"Does the Leader agree with me that the leaking of confidential papers shows a complete lack of integrity and respect towards all North Ayrshire Council staff, fellow Elected Members and the voting public?"

(4) a question by Councillor Inglis to the Cabinet Member for Place in the following terms:

"To ask the Cabinet Member for Place if they could update the Council on the action that will be taken to fix the recently vandalised toilets at the Braes in Saltcoats."

(5) a question by Councillor Sweeney to the Cabinet Member for Education in the following terms:

"To ask the Cabinet Member what prelims were set to take place on Wednesday 7 December 2022?"

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

"The National Improvement Framework interactive Evidence Report Statistics for Local Authorities published in 22 November 2022 recorded the percentage of combined P1,P4 and P7 pupils achieving the expected grade in Curriculum for Excellence (CfE) combined.

For North Ayrshire the numeracy levels recorded in 2018-19 was 79.4% and in 2020-21 was 67.4%. A drop of 12 points or 15%.

Given that this now means that fully one third of these pupils are failing to achieve the expected grade in Numeracy in CfE what plans do the Administration have to rectify these unacceptable figures?"

(7) a question by Councillor Foster to the Cabinet Member for Education in the following terms:

“To ask the Cabinet Member how much individual schools have used of their devolved budgets to pay off school meal debt to the Council?”

(8) a question by Councillor McLean to the Cabinet Member for Finance in the following terms:

“Given the future funding constraints placed on the Authority, can the Cabinet Member for Finance indicate (i) areas where they believe the council should cut back on, in order to balance the budget; (ii) if their administration will take any steps to pay back any debts that the authority has, over and above the interest rate?”

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

“Does the Cabinet Member agree with Council Directors of Finance, including our own Head of Service, who have written a joint letter to the Deputy First Minister stating that the financial pressures faced by Scottish Local Government are “unprecedented”, that the choices we face “come down to reducing services.....and reducing the number of jobs”, and unless “funding for Local Government is fair, sustainable and flexible”, “there is not a path to delivering balanced budgets”?”

(10) a question by Councillor McLean to the Cabinet Member for Education in the following terms:

“Can the Cabinet Member Education tell me what specific programme(s) exist in North Ayrshire in order support children who are academically gifted, and if none exist, if they intend to create one?”

(11) a question by Councillor McDonald to the Cabinet Member for Health and Social Care in the following terms:

"To ask the Cabinet Member how many Carers Assessments have been conducted in the last year and how many (as a %) have been conducted within the 1-year period set out in the Carers Act"

(12) a question by Councillor McLean to the Cabinet Member for Place in the following terms:

“The BBC recently reported on house prices and rents throughout Scotland, in this report it was found that the Ayrshires collectively were the only place where prices and rents contracted, every other area had an increase. Why does the Member think that Ayrshire is considered less desirable than the rest of Scotland?”

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

“To ask the Leader of the Council if the Ardrossan Ministerial Task Force has met again since its meeting on 28 June 2022”

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

“Does the Leader of the Council believe that Scotland is a colony of England, and that comparisons can be made between Scotland and Kosovo as the Scottish Government attempted in the Supreme Court earlier this month?”

(15) a question by Councillor Kerr to the Cabinet Member for Education in the following terms:

“To ask the Cabinet Member when the Council last met Scottish Futures Trust to discuss the Ardrossan Campus project?”

13

Motions

In terms of Standing Order 13, submit:-

(1) a motion by Councillor McDonald, seconded by Councillor Kerr, in the following terms:

North Ayrshire Council has a proud record of tackling hunger in our communities through initiatives like the Fairer Food Network and Wrap, Run and Fun. Council notes that a pre-pandemic Cabinet decision to implement an action plan to ensure all children in North Ayrshire will have access to a nutritious meal every day has not yet been delivered upon with our current initiatives not providing direct support to young people on free school meals at weekends. Council therefore instructs officers bring a report to Cabinet outlining options for weekend food provision."

(2) a motion by Councillor Foster, seconded by Councillor McDonald, in the following terms:

“In line with our commitment to The Promise, Council agrees that an EIA be undertaken with immediate effect to take forward ending the practice of excluding care experienced children from school and subject to the findings of that assessment and relevant considerations implement the necessary amendments to policy.”

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

"I move that North Ayrshire Council writes to The Rt. Hon. Michael Gove, Secretary of State for Levelling Up, Housing and Communities & Kate Forbes/John Swinney MSP Cabinet Secretary for Finance and the Economy to register interest and ask for backing for North Ayrshire to become Scotland's first Investment Zone, a scheme announced in recent budgets."

(4) a motion by Councillor McLean, seconded by Councillor Inglis, in the following terms:

"I move that North Ayrshire Council writes to First Minister Nicola Sturgeon MSP, Kate Forbes/John Swinney MSP Cabinet Member for Finance and the Economy and Shona Robison Cabinet Secretary for Social Justice, Housing and Local Government to ask for an increased financial settlement in order to stave off the looming harm to North Ayrshire's budget and its impact on services.

Specifically, to ask:

- For the £20 million set aside in the Scottish Governments 2023-24 budget for a Constitutional Referendum be passported to North Ayrshire to eliminate current and ease future funding gaps.
- For a review of the budget for the office of Constitution, External Affairs & Culture given the Supreme Court ruling that Constitutional Affairs are a reserved matter
- For consideration for the estimated £1.5 Billion funding consequential from the new UK budget to be distributed to local government – given that this is extra funding and would have no detrimental impact on any Scottish Government aims or priorities.
- For consideration to be given for the £2b Scottish Government underspend to be distributed to local government."

14 Notice of Motion to Amend Standing Orders

Submit a Notice of Motion in terms of Standing Order 24:

(1) Notice that a Motion by Councillor Foster, seconded by Councillor McDonald, will be submitted to the next ordinary meeting of the Council in the following terms:

"(a) that clause 14.1 of Standing Orders be amended as follows:- the words "The question as tabled should not include supplementary or contextual text." where they occur on the fourth to fifth lines thereof shall be deleted and the words "The question as tabled should only contain contextual information as preamble that is directly related and sufficient to facilitate understanding of the question." substituted therefor

(b) that clause 14.2 of Standing Orders be amended as follows:-

(i) the number "45" where it occurs on the first line thereof shall be replaced with the number "60"

(ii) the words "within one hour of the meeting ending" shall be inserted between the words "provided" and "included" where they occur on the last line thereof.

(c) that clause 14.3 of Standing Orders is deleted and replaced with the following:

"The process for selecting the order of questions for the agenda is as follows:

- Questions received are divided into lots:
 - Lot one - main Opposition;
 - Lot two - second Opposition;
 - Lot three - Independent Members and Opposition Parties with fewer than 2 members and
 - Lot four - the Administration;
- Questions will be put into each lot, by list, in the order received by the Chief Executive, unless all Members of the relevant group have given prior written agreement to the Chief Executive, that the order in which questions are listed in the lot for allocation can be specified by the leader of that group.
- Questions will be allocated to the agenda in turn from each lot list.
- The process proceeds until all questions have been allocated to the agenda.

(d) that clause 14.4 of Standing Orders be amended as follows:-

(i) the words "with contextual preamble" will be inserted between the words "question" and "tabled" where they occur on the first and second lines thereof.

(ii) the word “further” shall be inserted between the words “No” and “preamble” where they occur on the second line thereof.

(iii) the words “with contextual preamble” shall be inserted between the words “question” and “arising” where they occur on the sixth line thereof

(iv) the words “use best endeavours to” will be inserted between the words “will” and “arrange” where they occur on the penultimate line thereof.

(v) the words “within 24 hours from the 10am deadline.” shall be added after the word “provided” where it occurs on the last line thereof.

(e) that clause 14.7 of Standing Orders be amended as follows:- with regard to the rule contained in the third bullet point thereof, the words “unless it is seeking a progress update on a previous answer given” shall be added after the word “months” where it occurs on the last line thereof.

(f) that clause 15.2 of Standing Orders be amended as follows:- the words “For amendments proposed in relation to motions lodged under Standing Order 15.1, notice of amendment from the proposer and seconder must be emailed to the Chief Executive not later than 2pm on the Monday prior to the Council meeting and after having been checked for competency, will be circulated to Members in advance of the meeting.” where they occur on the fourth to eighth lines thereof shall be deleted.

(g) that clause 15.4 of Standing Orders be amended as follows:- with regard to the rule contained in the eighth bullet point thereof, the words “and agreement” where they occur on the penultimate line thereof shall be deleted.

(h) that clauses 6.5, 19.5, 23.1 and 25.1(i) of Standing Orders be amended as follows:- the words “two thirds” where they occur within said clauses shall be deleted and the words “a majority” substituted therefor.”

15 Urgent Items

Any other items which the Provost considers to be urgent.

Webcasting

Please note: this meeting may be filmed/recorded/live-streamed to the Council's internet site and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>, where it will be capable of repeated viewing. At the start of the meeting, the Provost/Chair will confirm if all or part of the meeting is being filmed/recorded/live-streamed.

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Generally, the press and public seating areas will not be filmed. However, by entering the Council Chambers, using the press or public seating area or (by invitation) participating remotely in this meeting, you are consenting to being filmed and consenting to the use and storage of those images and sound recordings and any information pertaining to you contained in them for webcasting or training purposes and for the purpose of keeping historical records and making those records available to the public. If you do not wish to participate in a recording, you should leave the meeting. This will constitute your revocation of consent.

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.

North Ayrshire Council Sederunt

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: