

North Ayrshire Council
13 December 2023

At a Meeting of North Ayrshire Council at 2.00 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

Present (Physical Participation)

John Bell, Timothy Billings, Marie Burns, Eleanor Collier, Joe Cullinane, Scott Davidson, Stewart Ferguson, Todd Ferguson, Robert Foster, Scott Gallacher, Tony Gurney, Alan Hill, Cameron Inglis, Margaret Johnson, Christina Larsen, Shaun Macaulay, Tom Marshall, Jean McClung, Nairn McDonald, Matthew McLean, Louise McPhater, Ian Murdoch, Donald Reid, Donald L. Reid, Chloé Robertson, Ronnie Stalker, and John Sweeney.

Present (Remote Electronic Participation)

Amanda Kerr, Davina McTiernan and Jim Montgomerie.

In Attendance

C. Hatton, Chief Executive; C. Cameron, Director (Health and Social Care Partnership); A. Sutton, Executive Director (Communities and Education); M. Boyd, Head of Service (Finance); F. Walker, Head of Service (People and ICT); L. Kirk, Interim Head of Service (Economic Development & Regeneration) (Place) and A. Craig, Head of Service, R. Lynch, Senior Manager (Legal Services); M. McColm, Senior Manager (Communications), M. Anderson, Senior Manager (Committee and Member Services) and C. Stewart and S. Wilson, Committee Services Officer (Democratic Services).

Chair

Depute Provost in the Chair.

Apologies

Anthea Dickson, John Glover and Angela Stephen.

1. Depute Provost's Remarks

In the absence of the Provost, and in terms of Standing Order 6.6, the Depute Provost assumed the Chair.

The Depute Provost welcomed those present to the meeting and dealt with preliminary matters, including intimation that the meeting, which was taking place on a hybrid basis, would be live streamed to the internet.

2. Apologies

The Depute Provost invited intimation of apologies for absence, which were recorded.

3. Declarations of Interest

There were no declarations of interest in terms of Standing Order 11 and Section 5 of the Councillors' Code of Conduct.

There were no declarations of the Party Whip.

4. Previous Minutes

The accuracy of the Minutes of the Meeting held on 1 November 2023 was confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

5. Provost's Report

Submitted report by the Provost for the period from 23 October – 3 December 2023.

In the absence of the Provost, the report was taken as read.

Noted.

6. Leader's Report

Submitted report by the Leader of the Council for the period for 23 October 2023 – 3 December 2023.

Noted.

7. Council Minute Volume

Submitted for noting, the Minutes of meetings of committees of the Council held in the period 9 June – 22 November 2023.

Noted.

9. Irvine Town Centre Working Group Update

Submitted a report by the Executive Director (Place) on progress made by the short-life working group to evaluate options to bring the former Forum building, former Ruby Tuesdays building and surrounding buildings that had fallen into disrepair back into a usable state and to provide information on the recently announced £20m Long-Term Plan for Towns Levelling Up Fund award for Irvine town centre.

The short-life working group of Elected Members and officers was established following a motion approved by Council on 17 May 2023. A progress update on its work was submitted to the Council at its meeting on 13 September 2023 and the Council agreed to receive a further progress report prior to the end of 2023.

Councillor Macaulay, seconded by Councillor Robertson, moved approval of the recommendations set out in the officer's report. There being no amendment, the motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to note (i) the progress made by the short-life working group and (ii) the award of £20m Long-Term Plan for Towns Levelling Up Fund award for Irvine town centre; and
- (b) that the short-life working group be disbanded, with any further action being progressed under the Long-Term Plan for Towns arrangements.

10. Treating Care Experienced as a Protected Characteristic in North Ayrshire Council Equality Impact Assessments

Submitted report by the Head of Democratic Services on the impact of treating "care experienced" as a protected characteristic for the purposes of Equality Impact Assessments (EIA) and the proposed next steps in implementing this policy.

A motion was approved by the Council on 29 March 2023 in support of adding "care experienced" as a protected characteristic in North Ayrshire's Equality Impact Assessments. It was agreed that officers present a report to Council on proposals for implementation.

Councillor Macaulay, seconded by Councillor Johnson, moved approval of the recommendations set out in the officer's report. As an amendment, Councillor Foster, seconded by Councillor Cullinane, moved approval of the officer's recommendations, subject to the following:

"Replace the definition set out at section 2.4 of the report with:

"The term "Care Experienced" refers to anyone who is currently in care or has been for any length of time regardless of their age.

This care may have been provided in many different settings, such as:

- Kinship Care - living with a relative who is not your mum or dad
- Looked After At Home - with the help of Social Work
- Residential Care - living in a residential home or school
- Foster Care - living with foster carers

- Secure Care - living in a secure accommodation
- Adoption - Living with adoptive parents”

On a point of order, Councillor Burns sought, and received, confirmation that Councillor Foster had no declaration of interest to make on this matter in terms of Standing Order 11.

Members asked questions, and received clarification, of the following:

- the basis for the proposed application of an age cap of 26; and
- the status of the legal advice obtained from King’s Counsel

In terms of Standing Order 16.5, Councillor Macaulay, with the agreement of his seconder, agreed to withdraw his motion in favour of the amendment. The amendment then became the substantive motion. There being no further amendment, the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to adopt the following definition of “care experienced” for the purpose of EIAs:

“anyone who is currently in care or has been for any length of time regardless of their age. This care may have been provided in many different settings, such as:

- (i) “Kinship Care” (living with a relative who is not your mum or dad)
- (ii) “Looked After At Home” (with the help of Social Work)
- (iii) “Residential Care” (Living in a residential home or school)
- (iv) “Foster Care” (living with foster carers)
- (v) “Secure Care” (living in a secure accommodation),
- (vi) “Adoption” (living with adoptive parents”); and

- (b) to amend the EIA template to include “care experienced” as a protected characteristic

Cllr Montgomerie lost remote connection during consideration of this item and left the meeting at this point.

11. Long-Term Financial Outlook 2024/25 to 2033/34 and Medium-Term Financial Outlook 2024/25 to 2026/27

Submitted a report by the Head of Finance on the financial challenges facing the Council over the next 10 years and the likely financial position of the Council's General Fund in the medium term, in order to inform the development of budget proposals.

Councillor Larsen, seconded by Councillor McClung, moved approval of the recommendations set out in the officer's report. There being no amendment, the motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to note (i) the Long-Term Financial Outlook 2024/25 to 2033/34, (ii) the financial challenges identified in the Medium-Term Financial Outlook 2024/25 to 2026/27 and (iii) the scale of the financial challenges faced by the Council over the medium and longer terms; and
- (b) that proposals be brought forward to set a balanced budget for 2024/25.

12. Review of North Ayrshire IJB Scheme of Integration

Submitted a report by the Head of Democratic Services on progress with the review of North Ayrshire Integration Scheme ("the Scheme") further to the report to Council on 21 June 2023.

Councillor Johnson, seconded by Councillor Robertson, moved approval of the recommendations set out in the officer's report. There being no amendment, the motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to note the progress with the Review of the Integration Scheme by officers from each Council and NHS Board; and
- (b) to receive further updates as the review progresses.

13. Questions

In terms of Standing Order 14, submitted:

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

"49% of secondary pupils in North Ayrshire had more than 10% absences in 2022-23. What is that statistic for each of our secondary schools?"

Councillor Macaulay thanked the Member for his question and responded by making reference to the following written response:

% of pupils with more than 10% absence during the full academic session	
School Name	session
Ardrossan Academy	50.5%
Arran High School	25.9%
Auchenharvie Academy	42.4%
Garnock Community Campus-Secondary	50.0%
Greenwood Academy	53.3%
Irvine Royal Academy	52.4%
Kilwinning Academy	48.4%
Largs Academy	48.7%
St Matthew's Academy	50.0%
All North Ayrshire secondary schools	49.2%

The Cabinet Member added to his written response by commenting that there had been a general decline in the average attendance rates since Covid, with the pandemic having a disproportionate impact on areas of higher deprivation, including North Ayrshire.

As a supplementary question, Councillor Marshall noted the levels of pupil absence and the current cost of operating secondary schools (approximately £55 million p.a.), and asked what level of savings might be achieved for the Council taxpayer were schools to be staffed to match actual demand.

Councillor Macaulay responded by asserting that the answer was not to reduce staffing levels, but instead to ensure pupils felt supported to attend school, where they could achieve their best possible outcomes. The Cabinet Member advised that the School Improvement Plan presented to Cabinet earlier this year had identified attendance as a key feature and that the Education service was working with schools to promote attendance.

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

"To ask the Cabinet Member for the current level of school meal debt?"

Councillor Larsen thanked the Member for his question and responded in the following terms:

"Current school meal debt is £22,731 across the Primary sector and £3,897 across Secondary schools. We continue to support parents through this process in accordance with COSLA's Good Practice Principles for School Meal Debt management."

The Cabinet Member supplemented her written response by affirming that any child presenting for a school meal would receive one, regardless of whether they had the necessary credit on their account.

As a supplementary question, Councillor McDonald asked if the Cabinet Member would intervene to end the practice of sending text message reminders to families about topping up their child's school meal account and if she would also support a motion which he intended to submit later in the meeting on universal free school meals.

On a point of order in terms of Standing Order 14.4, the Depute Provost sought advice on the extent to which the supplementary question related to the response to the original question. The Monitoring Officer confirmed the competence of the supplementary question.

Councillor Larsen responded by declining to support the Elected Member's motion, advising that the matter had been before the Council as recently as three months previously and reiterating her earlier statement that no child or young person would be refused a school meal due to a lack of funds in their account.

(3) a question by Councillor Murdoch to the Cabinet Member for the Green Environment and Economy in the following terms:

"Can the Cabinet Member please provide a definite/confirmed time and date for the introduction of Decriminalised Parking Enforcement in North Ayrshire?"

Councillor Gurney thanked the Member for his question and responded in the following terms:

"The application for Decriminalised Parking Enforcement (DPE) was submitted to Transport Scotland on 2 April 2022. Following a review of the application by Transport Scotland and drafting the Scottish Statutory Instrument for Scottish Ministers sign off, the transfer of powers to North Ayrshire Council happened on 3 November 2023.

A Parking Enforcement Supervisor and 5 Parking Enforcement Wardens have been recruited and start employment in January 2023. A further advert for the remaining post will be advertised early January 2024.

The team will undergo an induction process including on-site street and town familiarisation, system training, dealing with customers training and legislation awareness. This will take place during January and February and will also include a soft launch with formal enforcement activities commencing March 2024.

A communications plan will operate parallel to this including social media posts to raise awareness."

As a supplementary question, Councillor Murdoch asked whether the Cabinet Member could provide an exact date for the implementation of enforcement activities.

Councillor Gurney responded by undertaking to advise Councillor Murdoch of the exact date.

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

“Can the Portfolio Holder provide an update on progress with the renovation of Marress House and indicate when completion of the building is expected?”

Councillor Gurney thanked the Member for his question and responded in the following terms:

“The Marress House Early Years Centre was due to open earlier this year. Prior to the expected opening date of the facility, the Council was unable to accept handover of the building from the contractor due to a number of outstanding defects.

Further investigation of these items confirmed that extensive remediation works are required.

The contractor has accepted responsibility for these defects and has prepared a schedule of works to address them. Activity has resumed on-site, and officers are now in receipt of the contractor’s plan to complete the outstanding works, with handover of the building to the Council currently anticipated to be during Spring 2024.

A further update to parents and carers and Members was issued this week, and we will continue to keep all stakeholders up to date as the remediation works progress.”

As a supplementary question, Councillor McLean referred to difficulties experienced by parents in contacting the Education service and sought an explanation for the poor communication with parents and a commitment to provide regular updates in future.

Councillor Gurney responded by expressing his disappointment about the communications issues raised by the Elected Member. He indicated that efforts had been made to provide updates, but that the nature of renovation works was such that late issues could arise. The Cabinet Member undertook to ensure that everyone was kept informed and advised that he would ask officers to make sure that any communication issues did not recur.

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

“To ask the Cabinet Member how many people have completed the online budget challenge so far?”

Councillor Larsen thanked the Member for her question and responded in the following terms:

“This year, North Ayrshire Council gave every resident the chance to have their say on how the Council spends its budget. The online ‘Budget Challenge’ allowed residents to set their own ‘virtual budget’.

The budget challenge tool launched in late October with **172** responses and comments received so far, with the closing date for the survey on the 15 December 2023.

The survey was promoted via local press, social media campaigns and internally to staff. An invitation to participate in the survey was also issued by our Business Development Team to their extensive list of North Ayrshire businesses and by our Connected Communities Team to their network of community and voluntary organisations. Members will be provided with the results of the exercise early in the new year to consider as part of the Budget process.”

The Cabinet Member provided an update to her written response, advising that, to date, 201 responses had been received.

As a supplementary question, Councillor Kerr asked for confirmation that the Administration would take the responses into full consideration when preparing their budget proposals.

Councillor Larsen responded by asserting that it was incumbent on all Elected Members to take the responses into account, adding that all were duty bound to set a balanced budget.

Councillor Montgomerie rejoined the meeting at this point.

(6) a question by Councillor Murdoch to the Cabinet Member for Green Environment and the Economy in the following terms:

“During a Glasgow City Council, Full Council Meeting held on 9th December 2022, the following motion, as adjusted, was unanimously approved:

“Council notes the campaign launched by Radio Clyde calling for lighting to be installed along the main routes of Glasgow’s Parks: notes that this renewed call follows on from experiences during COP26: and notes that this campaign is supported by a wide range of individuals and organisations. Women’s safety requires a multi-agency response, which includes cultural and societal change.”

It also states,

“Council therefore resolves to instruct officers to prepare a paper to the relevant City Policy Committee within 2 committee cycles on the necessary infrastructure to provide sensitive lighting solutions in our parks, including the wider implications: and specifically, the equality and climate impacts of such an undertaking to ensure that the widest range of health, social and climate benefits can be realised.”

My concern is for everyone’s safety using the unlit footpaths within North Ayrshire.

Does North Ayrshire Council have any plans to light up the many footpaths across North Ayrshire that are not currently covered by street lighting of any kind?”

Councillor Gurney thanked the Member for his question and responded in the following terms:

“There are many popular areas of open space that can be utilised for outdoor recreational activity within North Ayrshire which are illuminated during the hours of darkness. These are, but are not limited to:

- Promenade areas within Largs, Irvine, Saltcoats and Ardrossan
- Nethermains Footpath, Kilwinning
- Jack’s Road Footpath, Saltcoats
- Stanley Burn Footpath, Ardrossan
- Orr’s Trust Park, Beith
- Dalry Public Park
- Kilbirnie Public Park
- Low Green, Irvine
- Riverwalk, Irvine

At present, there are no budgets available to invest in the introduction of lighting to currently unlit areas.

If the Member wishes, he could propose a budget growth proposal for additional lighting at the Council’s budget setting.”

As a supplementary question, Councillor Murdoch made reference to requests he had received for additional lighting, including to the rear of Skelmorlie Community Centre and Largs Promenade at Anthony Road, and asked whether the Cabinet Member agreed that solar powered lighting opportunities should be explored, together with potential funding.

Councillor Gurney responded by confirming that officers were continually exploring sources of potential funding for such matters and that, if available, this would be pursued diligently.

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

“Does the Portfolio-holder accept that anti-social behaviour is a real problem in North Ayrshire Schools and how does he suggest that the Education Minister's announcement of £900,000 funding for Councils (allowing £360 per school) be used to tackle the problem?”

Councillor Macaulay thanked the Member for his question and responded in the following terms:

“We recognise the issues which have arisen around pupil behaviour across Scotland, particularly since the pandemic. This has attracted a significant amount of media attention. However, research shows that issues experienced within our establishments are no more significant than elsewhere in Scotland.

The Directorate has established a short life working group which includes senior education leaders and corporate Health and Safety working in partnership with Trade Union colleagues to review and refresh the policy on violence and aggression in the workplace. This revised policy will complement the original corporate policy whilst recognising some of the unique challenges within education services.

Our schools have well-established Promoting Positive Relationships policies which are rooted in the principles of nurture: understanding behaviour developmentally and establishing boundaries. These approaches are proven to have the greatest impact.

The Scottish Government has stated that funding will be provided directly to local authorities to train support staff to respond to new challenges and develop behaviour management strategies in schools post COVID. As this funding has only just been announced, it would be advisable to wait until further detail is communicated prior to making decisions about spending.”

As a supplementary question, Councillor Marshall made reference to the recent PISA (Programme for International Student Assessment) results, particular with regard to mathematics, and asked whether the Cabinet Member thought that bad behaviour in schools affected the pupils' performance.

Councillor Macaulay responded by acknowledging that it was widely believed any aggression or violence in schools could be disruptive, hence the positive actions being taken to reduce this. The Cabinet Member advised that the Administration believed in working with schools, parents and pupils on solutions, to ensure that all learners in North Ayrshire had a positive experience.

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

“It was recently reported in the national press that in August this year, the UK Government offered cross-border support for those on long waiting lists in Scotland – including having individuals receive treatment out with Scotland – this was rejected by the Scottish Health Secretary. What impact will continued long NHS waiting lists have on HSCP services and finances?”

Councillor Johnson thanked the Member for his question and responded in the following terms:

“A link to the NHS Ayrshire and Arran performance report which is published on their website is included for ease of access to local information for planned care and outpatient waits – nhs.uk/2023/12/04/arran-performance-report/”

There will inevitably be some impact on the wider health and care system for additional support needs for some individuals awaiting planned care. This may include ongoing input from General Practice, Social Care supports and medication, for example for pain management. Clearly, it is difficult to project into the future the extent of the impact upon HSCP services and budgets, and it is difficult to identify the direct impact of waits; however, we will continue to provide regular updates on the overall position through performance and budget monitoring reports to the IJB and its committees.”

As a supplementary question, Councillor McLean asked whether the Cabinet Member believed that the Health Secretary had made the right decision in this matter.

Councillor Johnson responded by advising that she could not speak for the Health Secretary.

(9) a question by Councillor Marshall to the Leader of the Council in the following terms:

“What is the normal maximum occupational capacity for staff in both of Cunninghame House and Bridgegate House and how many staff attend each House on a minimum of two days per week?”

Councillor Burns thanked the Member for his question and responded in the following terms:

“Cunninghame House has a capacity of 1,050. The average level of daily occupancy is 336, which equates to 32%. Bridgegate House has a capacity of 450. The average level of daily occupancy is 109, which equates to over 24%. These figures are averages and occupancy can fluctuate across weeks, with Cunninghame House peaking at a daily level of 359, which equates to over 34%, and Bridgegate House peaking at 137, which equates to over 30%. All staff with an agile workstyle are expected to attend the office for a minimum of two days a week and the data also takes into account part-time staff and periods of annual and other leave.

Work is being progressed on a locality-based property review. This work will develop options around how we best utilise our property assets within a Best Value context that takes account of the needs of our communities, staff workstyles and climate impact.”

As a supplementary question, Councillor Marshall noted that the buildings in question were only being used to one third of their capacity and asked the Leader about the timescale for undertaking an evaluation of the staffing complements.

Councillor Burns responded by advising that the evaluation was already underway and that a report on the outcome would be presented in due course.

(10) a question by Councillor Stalker to the Cabinet Member for the Green Environment and the Economy in the following terms:

"Regal Court residential complex in Dalry now has 6 empty housing units. Some of these housing units have been empty for more than a year. It has come my attention that this complex may not be let out before the scheduled refurbishment work takes place, but with no date being given for works to commence this is being left open. Could the portfolio holder please provide an update to the situation at Regal Court?"

In terms of Standing Order 14.4, and with the agreement of both parties, the question and the following written response were taken as read:

“In advance of each of our sheltered housing refurbishment projects starting on site, we hold a number of properties when they become vacant as this creates the opportunity for tenants to be decanted whilst work takes place within their own property. The COVID pandemic has had a significant impact on the original timescales for the sheltered housing refurbishment programme. Furthermore, project specifications have required to be updated to reflect changes to building standards / regulations and service requirements. As a result, work on-site at Regal Court is now anticipated to commence in late 2025. A cost/ benefit analysis is currently being undertaken to assess whether some of the six void properties should be brought back into use.”

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

“Do you know how much of North Ayrshire Council’s budget is split between Statutory and Non-Statutory Spending – overall and by department?”

Councillor Larsen thanked the Member for his question and responded in the following terms:

“Any assessment of a budget split between statutory and non-statutory spending would be somewhat subjective in so far as many services will have statutory duties, however, the extent to which these duties are required to be discharged can be a matter of debate.

In general terms a statutory duty means that the Council must comply with the requirements of relevant legislation. A statutory power means that the Council has discretion whether or not to exercise the power. In practice statutory duties and powers are used to provide a range of services which combine both mandatory and discretionary elements.

A high-level assessment of aligning relevant legislation across Council services is currently being progressed by officers and will be issued to Members shortly. This will help Members understand the complexity of this landscape.”

As a supplementary question, Councillor McLean asked for clarification as to when the assessment would be issued to Elected Members.

Councillor Larsen responded by advising that the intention was that this information would be circulated prior to the festive break.

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

“Previously I had brought a motion to council regarding the Housing Allocation policy. You may remember I accepted an amendment from your group on the grounds that the points I had put forward would be put towards the tenant consultation. I then asked you on 29 March for an update on this and you informed Council that the consultation was moving forward and would be taking place in the ‘summer/autumn 2023’ and the review would ‘conclude’ in late 2023.

It is now December and that has not happened. I am now led to believe that the consultation will now take place ‘some time next year’ – spring/summer. If summer is the case that will be a full year after you had previously told us.

Can you now provide confirmation of when the tenant consultation will take place?”

Councillor Gurney thanked the Member for his question and responded in the following terms:

“The North Ayrshire Housing Register (NAHR) Officers’ Working Group (which consists of members of the four social landlords in North Ayrshire: North Ayrshire Council; Cunninghame Housing Association; ANCHO; and Riverside Scotland) began work on the review of the Common Allocation Policy in January 2023.

Between January and November 2023, the group met regularly to assess the current policy and agree the key areas for review from an officer perspective, prior to the commencement of NAC Elected Member, RSL Board and wider public consultation. Unfortunately, this initial stage took longer than expected, primarily because the group was awaiting further information on the content of the forthcoming Housing Bill in respect of the proposed Homelessness Prevention Duty and changes to domestic abuse legislation. The latter consultation document was issued by Scottish Government on 29 September 2023 and discussed at the NAHR Working Group in October 2023, enabling their proposed areas for review of the Allocation Policy to be finalised and the next stage (NAC Elected Member consultation) to commence.”

Councillor Gurney concluded his response by referring to a recent Elected Member briefing on this matter which Councillor McLean had been unable to attend. The Cabinet Member indicated that he would be happy to arrange for a separate briefing for the Member, if he so wished.

As a supplementary question, Councillor McLean asked why Elected Members had not been kept up-to-date and informed about the delay.

Councillor Gurney responded by asserting that Members were provided with updates as information became available.

14. Motions

In terms of Standing Order 15, submitted:

(1) a motion proposed by Councillor Marshall and seconded by Councillor Inglis in the following terms:

“In terms of the Chancellor’s Autumn Statement, there will be additional funding for the Scottish Government through the Barnett formula of £545 million, approximately (but not exactly) £233m in this financial year and £281m in the next. The main measures generating consequentials are:

- the funding of the pay award for the NHS in England in 2023-24, which generates £235m
- 75% relief on Business Rates in England for the Retail, Hospitality and Leisure (RHL) sections in 2024-25, up to a £110,000 cash gap, which generates £232m.

- funding of the pay award for the NHS in England in 2023-24, which generates £235m;
- freezing the small business multiplier in England in 2024-25, which generates £32m.

The Scottish Government previously operated a Business Rates Relief Scheme based on Barnett Consequentials for the Retail, Hospitality and Leisure in 2022/23, generating a Rebate of £463,606 for North Ayrshire RHL Businesses.

Therefore, I hereby move that the Council agree that the Chief Executive write to the First Minister, the Cabinet Secretary for Finance and all MSPs representing North Ayrshire, requesting that the Scottish Government restart the Retail, Hospitality & Leisure Relief scheme for 2024/25, thus saving 528 local businesses approximately £3,168,617 and ensuring the continuing vitality of our High Streets.”

A Member asked a question of clarification in respect of the figures cited in the motion and was referred to the Head of Service (Finance) for further information.

There being no amendment, the motion was declared carried.

Accordingly, the Council agreed that the Chief Executive write to (i) the First Minister, (ii) the Cabinet Secretary for Finance and (iii) all MSPs representing North Ayrshire, requesting that the Scottish Government restart the Retail, Hospitality and Leisure Relief scheme for 2024/25, thus saving 528 local businesses approximately £3,168,617 and ensuring the continuing vitality of North Ayrshire’s High Streets.

(2) a motion proposed by Councillor D. Reid and seconded by Councillor Cullinane in the following terms:

“That this Council recognises that the existing bus services in North Ayrshire and across the wider region are not delivering for passengers or wider society within Strathclyde. Council notes recent case for change report by SPT indicating some key issues being:

- Above inflation increases to bus fares.
- Sustained patronage decline
- Shrinking network coverage.
- Congestion induced delays

With the absence of a National Bus Strategy, North Ayrshire Council welcomes the Strathclyde Partnership for Transport (SPT) initiative to develop a Strathclyde Regional Bus Strategy (SRBS) and SPT's Case for Change for the West of Scotland covering over 42% of Scotland's population, and 70% of all public transport journeys in Scotland. Council also notes and welcomes that Phase 2 of the SRBS will consider all options to address such issues, including the provisions set out in the 2019 Transport (Scotland) Act, with the intention to present a preferred way(s) forward in March 2024 – including the proposed indicative operational and funding model, and timescales for delivery. Thereafter, work to develop a full business case for the preferred option(s) will be developed and Council welcomes this.

North Ayrshire Council encourages all interested community groups and stakeholders to engage in SPT's consultation process when it commences work towards developing and delivering the SRBS and to ensure the bus network better serves the people and communities of North Ayrshire and the West of Scotland."

A Member sought to ask a question in respect of the motion. On a point of order in terms of Standing Order 14.9, the Depute Provost ruled that the question was not relevant to the terms of the motion.

There being no amendment, the motion was declared carried.

Accordingly the Council agreed as follows:

- (a) to note that (i) existing bus services in North Ayrshire and across the wider region were not delivering for passengers or wider society within Strathclyde, and (ii) the recent case for change report by Strathclyde Partnership for Transport (SPT), which included the following key issues:
 - above inflation increases to bus fares
 - sustained patronage decline
 - shrinking network coverage
 - congestion induced delays
- (b) in the absence of a National Bus Strategy, to welcome the SPT initiative to develop a Strathclyde Regional Bus Strategy (SRBS) and SPT's Case for Change for the West of Scotland covering over 42% of Scotland's population and 70% of all public transport journeys in Scotland;
- (c) to note and welcome that (i) Phase 2 of the SRBS would consider all options to address such issues, including the provisions set out in the 2019 Transport (Scotland) Act, with the intention to present a preferred way(s) forward in March 2024, including the proposed indicative operational and funding model, and timescales for delivery, and (ii) work to develop a full business case for the preferred option(s) would be developed; and

(d) to encourage all interested community groups and stakeholders to engage in SPT's consultation process when it commenced work towards developing and delivering the SRBS and to ensure the bus network better served the people and communities of North Ayrshire and the West of Scotland.

(3) a motion proposed by Councillor McLean and seconded by Councillor Gallacher in the following terms:

"North Ayrshire Council recognises Auchengate as a settlement with its own challenges, history and identity and not just as an outpost of Irvine.

I therefore move that:

- a. a paper should be brought to Cabinet outlining proposals and any financial implications (i) for the formal recognition of Auchengate as a village in its own right with appropriate signage to include "Welcome to Auchengate" and (ii) detailing any possible measures that can be taken for road calming measures on the Auchengate Road which connects South Ayrshire to the Meadowhead roundabout and including consideration of reduction of the speed limit on the road from 60MPH to 40MPH in line with the road speed on the South Ayrshire side of the boundary; and
- b. in any future review of community council boundaries, etc. we will put forward a case to recognise the settlement Auchengate in its own right."

A Member asked a question of clarification in respect of the motion, with regard to the parameters for establishing the case to recognise Auchengate in its own right.

In terms of Standing Order 15.1, Councillor Gurney, seconded by Councillor Larsen, moved the following amendment:

"Council asks that a paper be brought to Cabinet to provide considered information on:

- whether the formal recognition of Auchengate as a village in its own right would result in positive benefit to the community which would make a tangible difference to community outcomes
- whether road safety at Auchengate where it falls within the boundary of North Ayrshire Council, and with due consideration of those other areas, could be improved through consideration of a reduction of the speed limit from 60mph to 40mph, taking into account the results of the previous investigation into this matter and
- the financial implications for the above proposals were it considered appropriate that they be implemented.

In addition, in any future review of community council boundaries etc, taking into account community opinion and resourcing implications, we will consider if it is appropriate to put forward a case to recognise the settlement of Auchengate in its own right.”

In terms of Standing Order 16.5, Councillor McLean, with the agreement of his seconder, agreed to withdraw his motion in favour of the amendment, which became the substantive motion. There being no further amendment, the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) that a paper be brought to Cabinet to provide considered information on:
 - (i) whether the formal recognition of Auchengate as a village in its own right would result in positive benefit to the community which would make a tangible difference to community outcomes
 - (ii) whether road safety at Auchengate where it fell within the boundary of North Ayrshire Council, and with due consideration of those other areas, could be improved through consideration of a reduction of the speed limit from 60mph to 40mph, taking into account the results of the previous investigation into this matter and
 - (iii) the financial implications for the above proposals were it considered appropriate that they be implemented; and
- (b) in any future review of community council boundaries, etc, taking into account community opinion and resourcing implications, the Council would consider if it were appropriate to put forward a case to recognise the settlement of Auchengate in its own right.

The Depute Provost intimated his intention to consider a point of order immediately following a short comfort break. In terms of Standing Order 6.8, the Depute Provost agreed that the meeting be adjourned at 3.20 p.m. The meeting reconvened at 3.30 p.m. with the same Members and officers present and in attendance, with the exception of Councillors Murdoch and Donald L. Reid.

At the invitation of the Depute Provost, and in terms of Standing Order 23, Councillor McDonald, seconded by Councillor Cullinane, then moved suspension of Standing Orders 15.1 and 25.1 on the grounds of urgency, to allow consideration of a motion not on the Agenda and which referred to a matter previously determined within the last six months, namely in relation to universal free school meals in Primary Schools.

As an amendment, Councillor Burns, seconded by Councillor Macaulay, moved that the Council should not proceed with suspension of Standing Orders.

On a division and a roll call vote, there voted “to proceed” with suspension of Standing Orders, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, D. Reid and Sweeney (9) and not proceed”, Councillors Burns, Collier, Davidson, S. Ferguson, Gallacher, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, Marshall, McClung, McLean, McTiernan, Robertson and Stalker (17), Councillors Billings and T. Ferguson abstaining.

Accordingly, the Council agreed not to proceed with suspension of Standing Orders 15.1 and 25.1 to allow consideration of a motion by Councillor McDonald, seconded by Councillor Cullinane. The matter, therefore, fell.

15. Urgent Items

There were no urgent items.

15. Depute Provost’s Closing Remarks

The Depute Provost closed the meeting by thanking Members for their participation and offered his best wishes for Christmas and the new year.

The meeting ended at 3.40 p.m.