



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council

A Meeting of the **North Ayrshire Council** of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 19 September 2018 at 14:00** to consider the undernoted business.

- 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 held on 27 June 2018 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).
- 4 Provost's Report**
Submit report by the Provost for the period from 20 June 2018 - 10 September 2018 (copy enclosed).
- 5 Leader's Report**
Submit report by the Leader's for the period from 20 June 2018 - 10 September 2018 (copy enclosed).
- 6 North Ayrshire Council Minute Volume (issued under separate cover)**
Submit, for noting, the Minutes of meetings of committees of the Council held in the period 24 May - 4 September 2018.

7 Appointments to Outside Bodies

Consider the undernoted nomination:-

Outside Body	Resignation/Vacancy	Nomination
Clyde Muirshiel Regional Park Committee	Vice Chair vacancy following Cllr Ferguson's resignation as Vice Chair (Cllr Ferguson remains a member of the committee)	Cllr Donald L. Reid (Cllr Donald L. Reid is already a member of the committee)

8 Elected Member Attendance

Submit report by the Chief Executive on the circumstances surrounding the non-attendance of an Elected Member and the relevant provisions within Standing Orders Relating to Meetings and Proceedings of the Council and its Committees.

9 Representation of the Roman Catholic Church on Cabinet

Submit report by the Chief Executive on the proposed appointment of Babs Mowat to replace Canon McManus as the representative of the Roman Catholic Church on Cabinet (copy enclosed).

10 Arrangements for an Ayrshire Regional Economic Partnership

Submit report by the Chief Executive on progress in respect of arrangements to create an Ayrshire Regional Partnership for Inclusive Growth as agreed at the Council meeting on 27 June 2018 (copy enclosed).

11 School Road, Kilbirnie – Compulsory Purchase

Submit report by the Chief Executive on a proposed compulsory purchase of land required to provide access/egress to/from the former site of the Garnock Academy, School Road, Kilbirnie (copy enclosed).

12 Short Life Working Group on Questions and Motions

Submit report by the Chief Executive on the findings of a short-life working group of Elected Members on Questions and Motions to Council, and to invite the Council to consider its recommendations.

(a) a question by Councillor Donald L. Reid to the Leader of the Council in the following terms:-

“Following a recent public meeting at NAC about brexit issues and how EEC nationals will be impacted in the brexit process, I would ask the Leader:

- (1) Has any formal assessment been carried out of the number of EEC nationals residing in North Ayrshire; and
- (2) Has any formal assessment been carried out of the number of EEC nationals who work for North Ayrshire Council and will the Council consider paying the £65 registration which will shortly be required of all EEC nationals who wish to remain in UK.”

(b) a question by Councillor Donald L. Reid to the Cabinet Member for Place in the following terms:-

“Can the Cabinet Member for Place give an update on the waste disposal arrangements currently in place in North Ayrshire Council including

- (1) the issue of contaminated waste from domestic sources and how the council will tackle this important issue; and
- (2) the amount of NAC waste going for recycling to Wales which is then rejected due to the waste being contaminated and give a cost to NAC of such waste rejection.”

(c) a question by Councillor Donald L. Reid to the Cabinet Member for Place in the following terms:-

“Can the Cabinet Member for Place give an indication of the preparedness of North Ayrshire Council to effectively tackle the winter months in terms of road gritting.”

(d) a question by Councillor Donald L. Reid to the Cabinet Member for Education in the following terms:-

“The Cabinet Member for Education will be aware that private travel arrangements for pupils from Garnock Campus travelling from Beith cost £50 per four week period. This is very expensive especially if two or more pupils travel from the same family. Beith, being the highest up town in North Ayrshire tends to suffer disproportionately inclement weather, especially driving snow in winter. North Ayrshire Council is a caring council with a responsibility for putting the needs of children first. In consequence of this and the fact that it takes 30 minutes minimum to walk from Manrahead to Garnock Campus I would ask (a) if an assessment has been made of:

- i) the number of pupils likely to be walking each day from Beith to Garnock Campus;
- ii) drying facilities to ensure that such pupils who regularly walk, are able to dry, change and store clothing at the campus; and
- iii) absenteeism of pupils who regularly require to walk from Beith to Garnock Campus; and

(2) In view of the recent decision to allow Cumbrae pupils bus passage to Largs Campus, will the cabinet member, who is aware of regular very poor weather conditions in Beith in winter - usually much worse than elsewhere in North Ayrshire - consider on a week to week basis, if poor weather is anticipated, for NAC to arrange a monitoring system which would include a free bus facility for the regular walkers on this route as required.”

(e) a question by Councillor Donald L. Reid to the Leader of the Council in the following terms:-

“In view of the ongoing restructuring of senior management at North Ayrshire Council, can the Leader advise of the likely annual savings or additional costs of salaries once this process is fully in place.”

(f) a question by Councillor Hill to the Chair of the Planning Committee in the following terms:-

“In 2014 Dawn Homes were granted permission for the building of homes in Fairlie. Condition 13 of that consent obliged the Developer to construct a path linking the site to Castlepark Gardens. The Developer failed to deliver this essential part of the development.

At its meeting on 20th September 2017 the Planning Committee approved application reference N/17/00584/PPM which included a condition 6 which required the construction of this path, to be completed “no later than 12 months from the date of the planning consent”. This twelve month period expires on 20th September 2018.

Can the Chair of Planning confirm that the path will be completed by the agreed date and if not, what enforcement action is proposed given the failure of the applicant to deliver this over what has now been a four year period.”

(g) a question by Councillor Davidson to the Cabinet Member for Place in the following terms:-

"I have been contacted recently by a number of female constituents regarding what they consider to be inadequate or poor street lighting in Pennyburn, Kilwinning.

The area of particular concern is around the bus stop adjacent to Cambusdoon Place on Pennyburn Road, which is located in the area nearest the treeline, and closest to the railway tunnel.

Following these representations, I have assessed this bus stop, and all others on both sides of Pennyburn Road, during the hours of darkness, and can certainly appreciate their concerns.

Therefore, will the Cabinet member review street lighting on all bus stops on both sides of Pennyburn Road to ensure we address my constituents' concerns as best we can, and further, is he prepared to meet me on-site during the hours of darkness, possibly with members of the roads & lighting department, to assess the lighting issue ourselves?"

(h) a question by Councillor McClung to the Cabinet Member for Place in the following terms:-

"Could the Cabinet Member for Place please give an update on the situation regarding the work required to be carried out to erect a permanent fence around Caledonia Primary School?"

(i) a question by Councillor Larsen to the Leader of the Council in the following terms:-

"Following the recent event hosted by North Ayrshire for EU Citizens living or working in Scotland, does the Leader of the Council support Scottish Labour's Parliamentary Business Leader Rhoda Grant MSP in her recent comments, whereby she stated we shouldn't even be speaking about EU citizens living in Scotland having the right to vote in this Country as it does little or nothing for the people of Scotland, is merely a "side issue" and that guaranteeing their right to vote is an SNP "tactic"?

(j) a question by Councillor Gurney to the Leader of the Council in the following terms:-

“The Labour Party administration of North Ayrshire Council imposed four PPP schools on North Ayrshire; Greenwood Academy, St Matthew’s Academy, Arran High School and Stanley Primary, all against the express wishes of the people of Arran, Ardrossan, Saltcoats and Irvine.

These schools now cost the residents of North Ayrshire over £1 million every month. Legally this money must be paid to the owners of the PPP contracts before this council can buy a single school book, or fill a single pot hole, or empty a single bin.

These contracts have, in fact, been extremely bad news for everyone. Except for one group, the owners of the contracts. They have made a fortune from the people of North Ayrshire.

One of the ways they do that is by short-changing their workers. The lowest paid in our society, essential workers such as cleaners and janitors, are not being paid the living wage by the huge conglomerates that own these contracts, leading to huge hardship for them and their families.

This contrasts sharply with the new schools built by the SNP administration. At the Garnock and Largs campuses not a single member of staff is paid below the living wage.

Make no mistake. The Living Wage is the least these people deserve. Without them our services, our schools, the education of our children would simply stop. They deserve our support.

This is the Labour Party’s mess. It was created by a previous Labour Party administration. It has been continually supported by this current Labour Party administration. Despite disingenuous public statements it is certainly not being tackled by the Labour Party.

What, specifically, will the Labour administration of this Council do to fix this mess, implement the living wage for the workers at these Labour PPP schools and ensure justice for the labour force?”

(k) a question by Councillor Davidson to the Cabinet Member for Place in the following terms:-

"Almost a year ago at the meeting of North Ayrshire Council on 4th October 2017 I asked the Portfolio Holder for Place if he could provide me with an insight into the plans and timescales of the North Ayrshire Labour Manifesto commitment to providing disabled access to Irvine, Ardeer and Stevenston beaches and also a description of what the disabled access will consist of?

My supplementary question to the Cabinet Member was, simply, if he would keep me updated with any notable developments or progress on providing disabled access to our main amenity beaches, which he confirmed he would.

I have had no further update since, therefore, can Councillor Montgomerie now provide me with a full update on all progress made since that meeting, and further, confirm which beaches are regarded as main amenity beaches?"

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

"What percentage of pupils in North Ayrshire in the top SIMD Quintile achieved at least one Higher pass in each of the last 5 Academic years and what are the equivalent figures for the bottom Quintile?"

(m) a question by Councillor Gallacher to the Cabinet Member for Place in the following terms:-

"What is the current total projected cost for the Irvine High Flats demolition project, including relocation of residents etc.?"

(n) a question by Councillor McNicol to the Cabinet Member for Place in the following terms:-

"Will the Portfolio Holder for Place inform Members of all meetings held and correspondence received between himself and NAC officers pertaining to the demolition of the sandstone wall at Caledonia Primary School, Saltcoats prior to the decision being agreed to demolish the said wall?"

(o) a question by Councillor McNicol to the Leader of the Council in the following terms:-

“In an article published in the Ardrossan and Saltcoats Herald issue dated 22nd August the Leader of the Council is quoted as stating the following:-

“I will continue to support GMB’s campaign (The company Mitie to pay the Living Wage for Janitors and Cleaners in the 4 North Ayrshire Council’s PPP Schools) and hope they will support my efforts to get the Scottish Government to help the Council buy out the PPP contracts, something that they have refused to do when I have asked.”

Will the Leader of the Council update Members on what efforts he has taken to get the Scottish Government to help the Council buy out the PPP contracts. Who has he met with from the Government and who has he sought Finance from?”

(p) a question by Councillor Billings to the Leader of the Council in the following terms:-

“This year the ferry service to Arran has been hit by significant numbers of delays and cancellations due to technical issues. These are symptoms of an ageing fleet and the lack of a coherent vision for what a modern ferry service should look like. One has to acknowledge that money from the Scottish Government is being thrown at the ferry services, but it is clear that without a clear strategy costs are getting out of control, we are not getting value for the money spent, and the people and businesses who rely on the services are suffering.

Will the Leader undertake to take forward to the Scottish Minister for Transport the following message:

There needs to be a complete overhaul of how the management structure of the ferry services works. There needs to be a coordinated strategy for Scottish ferry services that includes 1 - a timetable for building replacement vessels to standardised designs that are able to work across the network, and 2: plans to refurbish and renew ports to be able to accommodate ferries from across the network.”

(q) a question by Councillor Montgomerie to the Leader of the Council in the following terms:-

“I would like to ask the Leader of the Council for an update on the replacement of Ardrossan Academy.”

(r) a question by Councillor Murdoch to the Leader of the Council in the following terms:-

“Why are there no Independent or Conservative Members on the Recruitment Committee?”

(s) a question by Councillor Murdoch to the Cabinet Member for the Economy in the following terms:-

"An Environmental Impact Assessment was not considered necessary for the creation of the Caisson Gate and other work to the Hunterston Basin as each individual oil rig would require both a decommissioning statement and an EIA.

Does this mean that work to the basin for which planning permission has now been granted, can not commence until the first oil rig has been through this process and an EIA produced for the entire process?"

14.1 Motions

In terms of Standing Order 13, submit:-

(a) a Motion by Councillor Miller, seconded by Councillor Sweeney, in the following terms:-

"That the Council supports Poppyscotland's Count Them In Campaign which aims to see the inclusion of an Armed Forces question in the next Census in 2021. Notes that there is currently very limited information about where our veterans now live and what support they may need. Believes that gathering this information through the Census will allow for an improved understanding of this unique community and ensure that the Council, alongside others, can ensure we are fully meeting the needs of our serving personnel, veterans and their families. Instructs the Chief Executive to write to Poppyscotland, the local constituency and regional MSPs within the local authority area to inform them of Council's support".

(b) a Motion by Councillor Hill, seconded by Councillor Dickson, in the following terms:-

"That Council instructs Officers to establish a short term Member/Officer working group to investigate the support provided to community groups, clubs and societies organising events across North Ayrshire and the challenges that they face.

The working group to report back to a future Council meeting outlining positive proposals surrounding the support, funding, licensing, permissions and other issues affecting local people and groups organising events and festivals across our communities."

(c) a Motion by Councillor Gurney, seconded by Councillor McClung, in the following terms:-

"Given the Scottish Government's continued investment in educational infrastructure, Council instructs the Administration to prioritise a new Ardrossan academy during its consideration of the capital budget and to explore all funding opportunities available to realise this long overdue project."

(d) a Motion by Councillor Marshall, seconded by Councillor McNicol, in the following terms:-

“Council expresses regret at the failure of the Administration to allow the Conservative and Unionist Group and Independent Members representation on the Staffing and Recruitment Committee that will appoint the new Chief Executive.”

(e) a Motion by Councillor Brahim, seconded by Councillor Larsen, in the following terms:-

“Council values the EU citizens who made Scotland their home and recognises the positive contribution EU citizens make to the economy, communities and public services in North Ayrshire, Scotland and the UK. Council regrets that, more than two years after the Brexit vote, approximately 235,000 EU citizens – including 36,500 children – still face insecurity about their right to continue to live and work here once the UK leaves the EU on 29 March 2019.

Council condemns the UK Government’s decision to subject EU citizens who have already lived in and contributed to North Ayrshire, Scotland and the UK often for many years, to a mandatory application process test and to force them to pay a charge to retain the right to live and work here through so-called “settled status”.

Council therefore supports the Scottish Government’s continued efforts to press the UK Government to change their policy on this matter and to meet any settled status fees for EU citizens working in our devolved public services.”

(f) a Motion by Councillor Hill, seconded by Councillor Larsen, in the following terms:-

“North Ayrshire Council congratulates Renfrewshire Council on its commitment to ensuring that all secondary school pupils receive CPR training during their time in education.

The Council instructs our Education Department to bring forward plans to ensure that both CPR and defibrillator training are offered to every pupil across our secondary schools.”

14.2 Motions

In terms of standing Order 22, submit:-

(a) a Motion by Councillor McNicol, seconded by Councillor Barr, in the following terms:-

"The the Council amend Section 13 of the Scheme of Administration to read:-

"Staffing and Recruitment Committee

Constitution

Six members of the Council, namely the Leader of the Council, a member of the Administration, the Leader and a member of the Opposition, a member of the Conservative and Unionist Group and a member of the Independents. shall constitute the membership of the Committee. The Cabinet Member holding the relevant service portfolio relating to that particular Chief Officer appointment shall also be a member of the Committee for business relating to that appointment only. Each member will have a named substitute who may attend meetings in their place when necessary."

Council is requested to suspend Standing Orders in order to consider this motion at the meeting of 19 September 2018."

15 Urgent Items

Any other items which the Provost considers to be urgent.

Webcasting

Please note: this meeting may be filmed for live and subsequent broadcast via the Council's internet site. At the start of the meeting, the Provost will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during the webcast will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Generally, the press and public seating areas will not be filmed. However, by entering the Council Chambers and using the press or public seating area, 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 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 committeeservices@north-ayrshire.gov.uk.

North Ayrshire Council Sederunt

Ian Clarkson (Provost)
Robert Barr (Depute Provost)
John Bell
Timothy Billings
Joy Brahim
Marie Burns
Joe Cullinane
Scott Davidson
Anthea Dickson
John Easdale
Todd Ferguson
Robert Foster
Scott Gallacher
Alex Gallagher
Margaret George
John Glover
Tony Gurney
Alan Hill
Christina Larsen
Shaun Macaulay
Jean McClung
Ellen McMaster
Ronnie McNicol
Louise McPhater
Davina McTiernan
Tom Marshall
Jimmy Miller
Jim Montgomerie
Ian Murdoch
Donald Reid
Donald L Reid
Angela Stephen
John Sweeney

Chair:

Apologies:

Attending:

North Ayrshire Council
27 June 2018

IRVINE, 27 June 2018 - At a Meeting of North Ayrshire Council at 1.00 p.m.

Present

Ian Clarkson, Robert Barr, John Bell, Timothy Billings, Joy Brahim, Marie Burns, Joe Cullinane, Scott Davidson, Anthea Dickson, John Easdale, Todd Ferguson, Robert Foster, Scott Gallacher, Alex Gallagher, Margaret George, John Glover, Tony Gurney, Alan Hill, Christina Larsen, Tom Marshall, Jean McClung, Ellen McMaster, Ronnie McNicol, Louise McPhater, Davina McTiernan, Jimmy Miller, Ian Murdoch, Donald Reid, Donald L. Reid, Angela Stephen and John Sweeney.

In Attendance

E. Murray, Chief Executive; L. Friel, Executive Director (Finance and Corporate Support); C. Hatton, Executive Director (Place); K. Yeomans, Executive Director (Economy and Communities); S. Brown, Director (Health and Social Care Partnership); J. Butcher, Executive Director (Education and Youth Employment); and A. Fraser, Head of Democratic Services, A. Craig, Senior Manager (Legal Services), M. Gilmour, Senior Communications Officer (Media and Internal Communications); H. Clancy, E. Gray and A. Little, Committee Services Officers and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Chair

Provost Clarkson in the Chair.

Apologies

Shaun Macaulay and Jim Montgomerie.

1. Provost's Remarks

The Provost welcomed those present to the meeting and dealt with preliminary matters, which included an announcement that the Council meeting would be webcast.

2. Apologies

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

On behalf of the Council as a whole, the Provost offered his support and best wishes to Councillor Macaulay, who was absent through illness. The Provost wished Councillor Macaulay a full and speedy recovery.

3. Declarations of Interest

There were no declarations of interest in terms of Standing Order 10 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 of the Council held on 9 May 2018, was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973, subject to the undernoted.

5. Provost's Report

Submitted report by the Provost for the period from 10 May – 20 June 2018.

The Provost highlighted a number of elements of his written report and provided information on events since the report was issued, including:-

- meeting with French Consul General to present the Légion d'Honneur to 102-year-old Gilbert Norris, a resident of Cooriedoon Nursing Home in Whiting Bay on Arran;
- attendance at the recent Ardrossan Castle Carnival and the FITba4u project at Kilwinning Community Sports Club;
- a visit to the English for Speakers of other Languages Class at the Focus Centre in Saltcoats;
- a citizenship ceremony which welcomed four new UK citizens to North Ayrshire;
- the opportunity to represent North Ayrshire at the Polish National Day event at the Polish Consulate, the opening of the General Assembly of the Church of Scotland, and the Provosts Association meeting;
- attendance at key events within North Ayrshire, such as the ground breaking ceremony at Watt Court Dalry, the opening of Glencairn House, Bill Smith Court, Stevenston, and the formal opening of Largs Campus;
- a civic reception held as part of the Year of Young People; and
- the achievement of North Ayrshire primary schools which took part in the National Super Hero Day fundraising event, raising over £4,000 for Cash for Kids.

The Provost concluded his report by extending an invitation to Members to join him in the Members' Lounge following the meeting, to mark the final meeting of the Council before the summer recess.

Noted.

6. Leader's Report

The Leader of the Council reported for the period from 3 May – 20 June 2018.

The Leader echoed the Provost in highlighting the official opening of Largs Campus, the new Glencairn House sheltered home project in Stevenston and the Watt Court, Dalry, ground breaking ceremony, as key events referred to within his written report.

Noted.

7. Council Minute Volume

Submitted for noting and approval of any recommendations contained therein, the Minutes of meetings of committees of the Council held in the period 18 December 2017 – 13 June 2018.

The Council agreed to (a) approve the recommendation of the Police and Fire and Rescue Committee to approve the Local Policing Plan 2018-21; and (b) otherwise noted the Minutes submitted.

8. North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held on 31 May 2018

Submitted report by the Chief Executive on the Minutes of the meeting of the Community Planning Partnership Board held on 31 May 2018. The Minutes were attached as an appendix to the report.

Noted.

9. Committee Timetable

Submitted report by the Chief Executive on a revised committee timetable for the remainder of 2018 and for 2019. The proposed timetables were attached as appendices to the report.

The Council agreed to approve the revised committee timetable for the remainder of 2018 and draft committee timetable for January-December 2019, set out at Appendices 1 and 2 to the report, respectively.

10. Governance Documents

Submitted report by the Chief Executive on a review of the key Governance documentation which regulates the operation of the Council, its Committees and Officers. Revised Standing Orders for Meetings and Proceedings of the Council, the Scheme of Administration, the Scheme of Delegation to Officers, the Guidelines on Member/Officer Relations and Standing Orders for Contracts, were set out as appendices to the report.

The Chief Executive referred to the appendix containing the revised Scheme of Administration and advised of a further proposed amendment, to the constitution of North Ayrshire Integration Joint Board, in respect of Council nominations to the Board.

Members considered each of the appendices in turn and discussion took place on the following:-

- restricting to 3 minutes rather than 5 the time available to a Member for a question, supplementary question or response (Standing Order 12.4);
- the practical application of, and potential delays associated with, the proposal that motions and amendments for Council be submitted in writing (Standing Orders 13.2 and 14.4);
- the future charring arrangements of the Appeals Committee (Scheme of Administration) and the importance of seeking to achieve a greater gender balance for meetings of the committee; and
- the delegation to officers to appoint consultants or specialists (Section 3.3 of the Scheme of Delegation to Officers) and the levels of expenditure authorised (Section 23 of the Standing Orders Relating to Contracts)

Officers undertook (i) to investigate the feasibility of displaying motions and amendments on screens within the Council Chambers and (ii) to seek, where possible, to secure greater gender balance in respect of meetings of the Appeals Committee.

The Council unanimously agreed to approve, with effect from 1 July 2018, the revised governance documentation set out in the appendices to the report, subject to the following amendments to the Standing Orders appendix, namely that:-

- (i) Standing Order 12.4 read “A Member asking a question or supplementary question or responding thereto shall have a maximum of 3 minutes to deliver their question or answer. This is in addition to the 2 minute preamble referred to in 12.2”;
- (ii) the final sentence of Standing Order 13.2 read “For meetings of North Ayrshire Council only, such motion or amendment shall be recorded.”
- (iii) Standing Order 14.4 read “For meetings of North Ayrshire Council only, any motion or amendment shall be recorded. Notwithstanding this, the terms of such motion or amendment require to be repeated or referred to by the Member moving such.”

11. Unaudited Annual Accounts 2017/18

Submitted report by the Executive Director (Finance and Corporate Support) which provided an overview of the Council’s unaudited Annual Accounts for the year to 31 March 2018 and the Council’s financial performance for the year and outlined the impact, on the Council’s overall financial position, of the 2017/18 outturn.

A summary of the proposed carry-forward of earmarked funds to 2018/19 was set out in Appendix 9 to the report. Detailed explanations for any significant variances in service expenditure compared to the approved budgets, together with information on funding to be carried forward to 2018/19, were provided in the remaining appendices to the report.

Members asked questions, and received further information and clarification, on the following:-

- the background to the recent publication of high-level annual statistics reporting a £4.6m deficit;
- the planned use of reserves and the Council's approach in terms of its reserves policy; and
- the exercise of delegated authority and associated expenditure on consultant advice relating to a recent option to purchase commercial property in Irvine.

The Council unanimously agreed as follows:-

- (a) to approve (i) subject to audit, the Council's Annual Accounts for 2017/18 and (ii) the carry forward of a further £9.904m to fund service expenditure in 2018/19, as detailed in Appendix 9 to the report;
- (b) to authorise the Audit and Scrutiny Committee to consider and approve for signature the audited annual accounts within the required timeframe; and
- (c) to note (i) that Deloitte LLP plan to complete their audit of the Accounts by mid-September 2018 and will present their annual audit report to the Council's Audit and Scrutiny Committee by 30 September 2018, (ii) the unaudited General Fund break even position after allowing for the approved and planned carry forwards, including the earmarking of £2.500m from 2017/18 and the use of £1.000m of previously ringfenced reserves as part of the 2018/19 revenue budget strategy, (iii) the balance of uncommitted funds of £6.624m on the General Fund (equivalent to 2.0% of annual budgeted expenditure) being held in reserve (iv) the unaudited Housing Revenue Account (HRA) surplus for the year of £0.009m, (v) the earmarking and carry forward of the HRA balance as outlined in 2.20 and (vi) the financial performance of the Health and Social Care Partnership and the £5.8m deficit due to be repaid to the Council in future years.

12. North Ayrshire Charitable Trusts: Unaudited Trustees' Annual Report 2017/18

Submitted, for approval, a report by the Executive Director (Finance and Corporate Support) on the unaudited Trustees' Annual Reports for the year to 31 March 2018. The Trustee Reports in respect of the Anderson Park Trust, Douglas Sellers Trust, Margaret Archibald Bequest, the North Ayrshire Council Charitable Trust and the North Ayrshire Council Charitable Trusts for Beith and Gateside, Dalry, Irvine, Kilbirnie and Glengarnock, Kilwinning and Largs, were attached as appendices to the report.

Members asked questions, and received further information and clarification, on the following:-

- the current balance within the Margaret Archibald Bequest and the mechanism for setting the level of funding available for disbursement; and
- measures which might be taken to ensure that funding within dormant trusts is applied to projects benefitting the community.

The Council unanimously agreed (a) as trustees of the North Ayrshire charitable trusts, to approve the annual reports for 2017/18, subject to audit; and (b) that officers proactively seek to identify projects which might benefit from the available funding within dormant trusts.

13. Treasury Management and Investment Annual Report 2017/18

Submitted report by the Executive Director (Finance and Corporate Support) on the Treasury Management and Investment Annual Report and Prudential Indicators for 2017/18. The Annual Report 2017/18 was set out in the appendix to the report.

Members asked questions, and received further information and clarification, on the possibility of, and any penalties associated with, seeking to renegotiate remaining LOBO loans.

The Council unanimously agreed to note (i) the Treasury Management and Investment Annual Report for 2017/18 set out at Appendix 1 to the report and (ii) the Prudential and Treasury Indicators contained in that report.

14. Car Park, New Street, Stevenston – Compulsory Purchase

Submitted report by the Chief Executive on the proposed compulsory purchase of land required to provide parking spaces in Stevenston town centre, relieving and preventing congestion. A location plan was provided as an appendix to the report.

The closure of the car park in New Street, Stevenston, was the subject of a motion passed by the Council at its meeting on 9 May 2018. The report summarised developments since the meeting and recommended action.

Members asked questions, and received further information and clarification, on the following:-

- funding arrangements for the acquisition of the car park and its upgrade;
- the extent to which meetings had taken place with the owners since the last Council meeting; and
- the timescales and costs associated with Compulsory Purchase;
- the rationale for following a Compulsory Purchase route.

Councillor Sweeney, seconded by Councillor Gallagher, moved that the Council approve the recommendation set out in the report. There being no amendment, the motion was carried.

Accordingly, the Council resolved to make a Compulsory Purchase Order to be called "The North Ayrshire Council (Car Park, New Street, Stevenston) Compulsory Purchase Order 2018", as detailed in the proposals section of the report.

15. Strategic Planning, Commissioning and Delivery of Health and Social Care Services within Ayrshire and Arran

Submitted report by the Chief Executive which (i) provided a conclusion to the 2017 review of arrangements for planning, commissioning and delivery of health and social care services in Ayrshire and Arran, (ii) presented proposals to address the findings from the review of the Integration Scheme between North Ayrshire Council and NHS Ayrshire and Arran in respect of lead partnership arrangements, (iii) sought agreement for the next steps in respect of Fair Share commissioning within the Ayrshire and Arran Health and Care system and (iv) outlined future development in respect of "Directions" as the Model provided by the Public Bodies to commission services from the Council and NHS Board.

The report to the meeting of the Integration Joint Board held on 21 June 2018 was attached as an appendix to the report.

The Chief Executive provided a verbal update on consideration of the terms of the report, by the Board of NHS Ayrshire and Arran, South Ayrshire Council and East Ayrshire Council.

The Council unanimously agreed as follows:-

- (a) to note the findings from the first stage of the review of the North Ayrshire Integration Scheme;
- (b) to approve the proposals for the transfer of management arrangements for community AHP services;
- (c) to approve the proposals for the implementation of the model to align financial and usage in Pan Ayrshire Mental Health Services;
- (d) to approved the proposal to align the management of the Pan Ayrshire Family Nurse Practitioner Services with lead professional partnership with South Ayrshire HSCP, all as detailed in the attached report to North Ayrshire Integration Joint Board; and
- (e) to note that (i) the report was considered and agreed by NHS Ayrshire & Arran Board meeting on 25th June 2018; (ii) a similar report would be presented to East and South Ayrshire Councils on 28th June 2018; and (iii) reports were considered and

approved by North Ayrshire Integration Joint Board on 21 June 2018 and East Ayrshire Integration Joint Board on 13 June 2018.

16. Ayrshire Regional Partnership for Economic Growth

Submitted report by the Executive Director (Economy and Communities) on the proposed establishment of an Ayrshire Regional Partnership for Inclusive Economic Growth. The Detailed Business Case was attached as an appendix to the report.

The Chief Executive provided a verbal update, confirming that the Cabinet, at its meeting held on 19 June 2019, agreed to support the terms of the report, and giving further information on East Ayrshire and South Ayrshire Councils' consideration of the proposals.

Members asked questions, and received further information and clarification, on the following:-

- the frequency with which officers, as well as Council Leaders and portfolio-holders, had met with counterparts in East and South Ayrshire Councils to resolve outstanding issues;
- the intended mechanism for achieving the savings identified and any impact on jobs within North Ayrshire; and
- the role of the Planning service in the Regional Partnership arrangements

Members commended officers for their work in bringing Scottish Enterprise and Skills Development Scotland, as well as the other two Ayrshire local authorities, around the table, and offered their support to officers in bringing influence to bear on counterparts in South Ayrshire Council in terms of highlighting the merits of the proposals.

On the basis of the Detailed Business Case appended to the report, the Council unanimously agreed as follows:-

- (a) to establish a Regional Ayrshire Partnership for Inclusive Economic Growth as set out in Section 4 and Appendix 5 of the Detailed Business Case;
- (b) to establish an Ayrshire Delivery Vehicle between East, North and South Ayrshire Councils and other stakeholders from 1 April 2019 and this includes integrated delivery of the Ayrshire Growth Deal, Economic Growth Services and Tourism;
- (c) to continue negotiations with the Scottish Government, its agencies, and regional partners to secure commitments to the new partnership model;
- (d) to remit to the Chief Executive to finalise the new management structure in conjunction with the other two Chief Executives, taking account of the remit and scope of the services and the overall financial envelope, to be populated as quickly as possible and well in advance of April 2019 with final proposals being presented to Cabinet;

- (e) to establish a range of workstreams including service design, Human Resources, finance, legal, governance;
- (f) that the host authority be North Ayrshire Council, tasked with the oversight of day to day operational issues in relation to the Partnership;
- (g) to transfer employees from East and South Ayrshire Councils (where agreed by their respective authorities) to the host authority on 1 April 2019 under TUPE regulations; and
- (h) to establish an Ayrshire Economic Development Sub-Committee of the Ayrshire Shared Services Committee for the purpose of developing an Ayrshire Regional Inclusive Economic Growth Strategy and associated implementation plan, with appropriate support and input from an Ayrshire Economic Delivery Vehicle team.

The Council then adjourned at 2.40 p.m. for a comfort break, reconvening at 2.55 p.m. with the same Members and officers present and in attendance

17. Questions

In terms of Standing Order No. 12 there were submitted the following questions:-

- (a) a question by Councillor Donald L. Reid to the Cabinet Member for Health and Social Care, in the following terms:-

“Is the Cabinet Member for Health and Social Care aware that 1 in 4 children (230,000) in Scotland were living in poverty between 2014 and 2017 and that the respected Institute for Fiscal Studies estimates that this will increase by 50% by 2021, and can he:-

- (1) confirm to Members the estimated number of young people in NA living in poverty in that same period (2014-17); and
- (2) advise what steps NAC propose to take to ensure that we have in a place a plan for NAC to ameliorate this trend of increasing levels of child poverty.”

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

“Based on the period stated we can show the estimates based on the National Records of Scotland mid-year population figures. The information is based on **children living in poverty, after housing costs** and shows the following:

mid year est	Dec-14	6,365
mid year est	Nov-16	7,031
mid year est	Sep-17	6,700

Child poverty is complex and relies on a coordinated strategic approach across a range of partner agencies to increase the likelihood of equity and address inequalities in our communities. North Ayrshire's Integrated Children Services Plan (2016-2020) Getting it Right for You recognises this and aims to give children in North Ayrshire the best start in life.

For example, we now provide access to Money Matters advice and guidance via our Health Visiting Service. All families with children under 5 years old will automatically be given access to money matters advice, unless they opt out of the support. This approach enables the release of around £260,000 of additional benefits to households of children in need annually since 2015/16, this is around £4,000 per family supported.

Other interventions and supports:

We work for Families

We have also introduced the "We work for families" (WWFF) programme. This programme works with Health Visitors providing access to all families with young children a specialist employability and skills service. Offering a range of supports to parents, enabling and empowering them to enter future employment. The programme also includes assistance with debt and child care advice, housing and literacy support. Thus assisting to address barriers to entering meaningful employment or education. There is also access to funds for child care so that parents can attend training, education and work placements.

Health start vouchers

The Universal Early Year service work with families to enable uptake through the national Healthy start voucher scheme. This scheme enables families, who have children under four or who are pregnant and on benefits or those who are pregnant under 18 years old, to free vouchers to spend on milk, plain flour, infant formula milk, frozen fruit as well as free vitamins.

Our work to ensure that children continue to have access to food over the school holiday periods continues with excellent cross-directorate collaboration, providing activities and food for many children and their families.

Despite this level of investment and prioritisation given by the Integrated Children's Services Plan, there remain significant challenges, not least of which is the attraction of investment and creation of jobs in North Ayrshire. The most effective way of addressing child poverty is to put money in the pockets of parents and despite some recent well-published disappointments, we continue to work with Scottish Government colleagues to bring investment to the area and, along with it, the jobs needed to prevent children living in poverty and to ensure they have the best possible start in life."

- (b) a question by Councillor Donald L. Reid to the Cabinet Member for Communities, in the following terms:-

“Can the Cabinet Member for Communities:-

(1) advise if there is any indication of the local impact being felt as a result of the closure of North Ayrshire Citizen Advice Service (NACAS) in terms of providing advice and support to our poorest residents when all the evidence points to the real benefits of having advice services readily available and accessible; and

(2) say whether there has been an assessment made of the impact on our own NAC Money Advice Service following the closure of NACAS and are there any plans to bolster this vital service.”

Councillor Foster, Cabinet Member for Health and Social Care, thanked the Member for his question and responded in the following terms:-

“Following the announcement of the closure of North Ayrshire Citizens Advice Service, the Council issued press releases to direct people with a need for advice to contact either the Better Off North Ayrshire service or the Council’s Money Matters team. During April and May, the Better Off North Ayrshire Service saw some increase in people accessing the services but it is difficult to assess whether this is as a result of the closure of NACAS or a natural consequence of growing levels of publicity about the service and word of mouth.

Money Matters has seen an increase in enquiries to the Service with 529 in April / May 2017 compared to 619 for 2018. It is important to note that enquiries are more complex and time consuming now as we see more service users having to claim Universal Credit. There has also been an increase in Appeal work from 128 appeals in April and May 2017 to 141 appeals in 2018. The appeals are primarily in relation to Personal Independence Payments (PIP) and Employment Support Allowance (ESA). The Welfare Rights Officers at Appeals continue to achieve success with a 75% success rate in April 2018 and 73% in May 2018.

Over £1.2m has also been generated by the Team in income maximisation in April and May 2018.

Better Off North Ayrshire is a Big Lottery/European Social Fund programme to support low income residents with money issues. The 3 year target is to support over 3000 low income residents, with the programme now in its second year of delivery.

The Council is acutely aware of the issues residents face, in particular in dealing with money and benefits issues. While we believe we have made an effective response to the closure of the North Ayrshire Citizens Advice, there is an ongoing need to ensure access to good quality provision is available to those most in need. With a view to this, the Council is undertaking a review of advice services including Money Matters and Better Off North Ayrshire as part of its transformation programme and will make recommendations about the future landscape of advice provision required. Discussions have also taken place with Citizens Advice Scotland to ensure that the closure of NACAS was handled as well as possible."

(c) a question by Councillor Donald L. Reid to the Cabinet Member for Health and Social Care, in the following terms:-

"The Cabinet Member for Health and Social Care will be aware that suicide is a growing problem in men under 50 in Scotland and indeed is now that age group's leading cause of death. Scottish Council for Voluntary Organisations advise that some 728 people took their own lives Scotland in 2017 - 75% of whom were male. Can the Cabinet Member (a) provide details of the number of suicides in North Ayrshire in 2017 (or 2016 if 2017 figures are not available) and if practicable give a breakdown by age and sex; and (b) give brief details of any current or planned initiatives to combat the number of suicides in North Ayrshire."

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

"(a) NHS Health Scotland will be officially releasing the suicide statistics for 2017 on Wednesday 27 June at 09:30am when a briefing and press release will be released.

In 2016 there were 728 deaths by suicide in Scotland. There were 47 across Ayrshire and Arran as a whole, in North Ayrshire there were 21 deaths, 15 males and 6 females. The youngest was 18 and the oldest was 79 years of age. Most were between 36 and 55 years of age (full breakdown unavailable at this time).

Between 2012 and 2016 the rate for Ayrshire and Arran was 11.7 per 100,000 population, which was the lowest of the Health Boards. North Ayrshire's rate was 13.0 per 100,000 (the national Scottish rate was 13.2 per 100,000). Suicide rates generally increase with increasing deprivation. In 2016 the suicide rate for males was more than two and a half times that for females. The suicide rate varies between different areas within Scotland and fluctuates over time.

(b) Since 2003 there has been a partnership approach to raising awareness and taking suicide prevention forward. In 2018 we continue to take forward suicide prevention activity in line with the National Suicide Prevention Strategy and locally under the Health and Social Care Partnership.

A new National Suicide Prevention Strategy is under consultation and will be produced in Summer 2018. The Choose Life Manager is employed part-time to take Suicide Prevention activities forward across North Ayrshire. The type of initiatives and activities that have taken place over the past few years are:

Roll out and delivery throughout Ayrshire of 3 multi-agency training programmes (safeTALK, Applied Suicide Intervention Skills Training (ASIST) and Suicide Training on Risk Management (STORM)) – jointly with East and South Ayrshire but co-ordinated through North Ayrshire Council.

The Choose Life Manager delivers safeTALK training directly in North Ayrshire to a range of organisations for example - 3rd sector organisations, Schools (staff and pupils), NHS staff (physiotherapists) Addictions (staff and those in recovery), local foodbank, local churches, social services and others.

Between Jan 2016 and June 2017 over 20 training and awareness events took place across North Ayrshire – promoting information and guidance to help individuals respond to help prevent suicide.

There have been 10 safeTALK training sessions delivered in the past year in North Ayrshire alone reaching over 150 people from a range of community and other organisations.

Also delivered are a range of be-spoke training initiatives to 3rd sector organisations, college students, community groups and user groups as well as other services such as Fire and Rescue-all of whose teams in North Ayrshire received a suicide briefing

A range of printed resources have been developed and produced including - police sudden death.

Currently work is being taken forward in partnership with Youth Services across the summer months in 2018 where young people will be blogging information each week to encourage young people who may be struggling to seek help, talk and support each other- and sharing information about helplines and websites which can help.

Contribution has also been made to wider campaigns including the World Health Organisation “Depression-Let’s Talk”. The annual Suicide Prevention Awareness campaign in September has involved initiatives previously-such as bus adverts and radio adverts/interviews. A briefing note is produced and shared across the council along with information on the council website and other media platforms.

In 2017 (in partnership with the North Ayrshire Alcohol and Drug Partnership) beermats were produced with relevant information and distributed across many pubs in North Ayrshire-with the “Stop Bottling it Up” message taken into the community directly especially to target men.

Twilight sessions for education staff to highlight the multi-agency self-harm/suicide guidance (developed in partnership with CAMHS a few years ago) have been delivered across schools in North Ayrshire jointly between Penumbra, Choose Life NA and local CAMHS staff.

Choose Life NA also work with the 3rd sector organisation Touched by Suicide Scotland in North Ayrshire who provide support and self-help groups for those bereaved by suicide.

Plans are underway to develop a pilot pathway with the police and the Adult Concern Hub at Kilmarnock Police station where those immediately affected by a death by suicide can access relevant information appropriately and quickly. This involves developing a pack of information and identifying and organising training for the staff involved.

Finally there are multi-agency Strategic and Operational Groups currently co-ordinating suicide prevention activity for young people. These are co-ordinated through the Child Protection Partnership with information card, general information leaflet, young people resource sheet, small information card, newsletters and desk calendars.”

(d) a question by Councillor Donald L. Reid to the Cabinet Member for Health and Social Care, in the following terms:-

“The Portfolio holder (H&SC) may be aware that in Scotland recent research has shown that over 15,000 people fell into arrears for their care home costs over the past two years. Of the 15,733 found to be in debt, 6,443 were registered with local authorities as being the subject of debt management procedures for non-payment of social care charges. Can you portfolio holder comment on the current situation as it applies to North Ayrshire and in particular advise if anyone in North Ayrshire has ended up in court for non-payment in the past two years.”

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

“It is worth noting that CoSLA have formally stated that, with diminishing resource and increasing demand, it is particularly important that those who are able to pay for their care, do so.

Many arrears are in respect of people in care who have sufficient capital assets to pay for their care. If that capital is tied up in a house, the Council will pay for the care costs and secure these through a charging order. That avoids any need to sell a house, and ensures that when the house is sold, the care costs are refunded to the Council. We successfully manage social debt and have not required to raise court action to recover this.

The financial assessment process relating to care home placements is robust and has been developed and is reviewed annually by HSCP and Financial Services. Training is available for HSCP staff in relation to Income Maximisation to ensure that service users are in receipt of all relevant benefits. If any staff have queries, Money Matters is available to provide specialist knowledge.

Financial Services will calculate service user contributions based on all information received and this is subject to an annual review to ensure that the amount continues to be correct. Charges are based on the CRAG (Charging for Residential Accommodation Guide) guidelines which are devised by Scottish Government.

Service users within care homes are subject to an annual review and their financial situation is a standing agenda item for the review. This ensures that if there are any arrears in care home fees, this can be addressed as soon as possible. Also, if there are any other issues, for example, availability of personal allowance, this can be dealt with timeously.”

(e) a question by Councillor Donald L. Reid to the Leader of the Council, in the following terms:-

“The Leader will be aware of the ‘Local state we’re in 2018’ report which recently surveyed 81 local authority chief executives and leaders across the UK, along with a poll of over 2,000 members of the public. Almost three-quarters (74%) of council leaders are expecting some local authorities to plunge into a “serious financial crisis” next year.

A whopping 74% of council respondents said that they expect some councils to get into **serious financial crisis** in the next year – a 20% increase in the level of failure compared to last year.

Whilst it is appreciated we are living through challenging times, can the Leader reassure Members that NAC is not one of the local authorities likely to get into serious financial crisis this year or next and highlight what steps the executive is taking to ensure the long-term financial stability of this authority.”

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

“The Council is focused on the long-term financial stability of North Ayrshire, this was reflected in the development of the Long Term Financial Outlook which was considered at Council on 4 October 2017. This is an important document as it gives Council sight of the potential scale of the financial challenge and provides sufficient time to develop medium and longer term solutions. The Financial Environment is one of the highest risks identified in the Council’s strategic risk register.

The Member raises an important issue but for me frames it wrong. North Ayrshire Council will not plunge into serious financial crisis this year or next, the issue is what will the public services we deliver look like after this level of austerity is imposed on us by our Parliamentarians?

Central Government austerity has seen £82m of cuts from this Council's budget since 2010 yet when the Council set its budget for 2018/19, the gap for 2019/20 and 2020/21 exceeded £25m. Beyond 2020/21 the Long Term Financial Outlook report identifies potential future funding gaps of the order of £12m per annum.

The question members should be asking is therefore not whether the Council will be financially stable, as it will, but what will this level of austerity mean for our schools, health and social care services, CLD services including Youth Services, our libraries, local community centres and all the other vital services that this Council delivers. The challenge is – what will members across this chamber say and do to defend local government, to fight for a fair funding deal and protect services and jobs for the people of North Ayrshire?"

(f) a question by Councillor Brahim to the Cabinet Member for Place, in the following terms:-

"Can the Portfolio Holder for Place advise what support is given to residents across North Ayrshire who are bereaved and require financial assistance organising funerals?"

Councillor Cullinane, on behalf of the Cabinet Member for Place, thanked the Member for his question and responded in the following terms:-

"Financial assistance for funerals where families are in financial hardship is available through the Department of Work and Pensions (DWP) Funeral Payments scheme. This helps people on benefits and tax credits pay for some of the funeral costs.

When registering a death staff provide advice re the DWP Funeral Payment and contact details for this are provided on the letter that is issued to the customer as part of the Tell Us Once process. Information is also available on the Deaths section on our website.

There are also a number of support organisations to which the HSCP direct people who have experienced bereavement.

The current DWP payment is being replaced by the Funeral Expenses Assistance scheme, a consultation exercise is currently underway in respect of the scheme. Funeral Expense Assistance will provide a one off payment to support people on low income benefits who need to pay for a funeral.

There is also provision for funerals through the National Assistance Act 1948. This makes provision for local authorities to deal with the dead indigent or unclaimed bodies where there was no next of kin.

The Scottish Working Group on Funeral Poverty (SWGFP) has produced an information booklet on 'Planning Your Own Funeral' which includes guidance on paying for your funeral. This is available to download and read on the Council's website and hard copies are available in public buildings.

Free training is also available for those who support people who plan funerals such as third sector organisations and the Council is considering how staff can take advantage of this training to increase and share knowledge.

In respect of funeral charges our current fees are set at the 2017/18 national average. Bereavement fees for the under 16s are provided free of charge, this is being extended to under 18s.

The Council has developed a Bereavement Charter which has been signed up to by Council officers, elected members, funeral directors and clergy. This provides a clear set of commitments for each party to adhere to with the objective of improving the Bereavement process for families.

There is a Bereavement Working Group in place, consisting of elected members, clergy, funeral directors & Council staff, which meets quarterly. The group has an objective this year to review funeral poverty and this will be undertaken in line with the Burial and Cremation (Scotland) Act 2016."

As a supplementary question, Councillor Brahim asked whether the free training referred to in the Leader's response was that provided by the Scottish Government Child Poverty Action Group.

Councillor Cullinane responded by undertaking to seek the clarification on this matter.

(g) a question by Councillor McTiernan to the Cabinet Member for Place, in the following terms:-

"Disabled people have an equal right to live an independent and fulfilling life in North Ayrshire.

With this in mind, and following enquiries from constituents in my ward, I ask the Cabinet Member for Place if he can provide me with information on what he is doing to improve accessibility to our pavements for people with disabilities, people who are infirm and users of wheelchairs or mobility scooters in North Ayrshire."

Councillor Cullinane, on behalf of the Cabinet Member for Place, thanked the Member for his question and responded in the following terms:-

“Condition assessments of all our footways are undertaken on an annual basis, this information is input to an assessment matrix for scoring and ranking our footways for inclusion in our resurfacing programme. This year we will be spending £250,000 on our footway resurfacing programme with an additional £75,000 being spent on routine repairs.

Whilst the large majority of the area has appropriate crossing points there are a number of historical footways that do not have dropped kerb crossing points and as a matter of course we will provide these when carrying out footway resurfacing works.

Further improvements to the path network are detailed in the Active Travel and Transport External Funding Report to Cabinet on 19 June 2018 will improve the paths to an all abilities access standard. This will improve the paths for all users including wheelchair and mobility scooter users.

An officer from Roads regularly attends the North Ayrshire Access Panel and when issues of accessibility are raised these are fully investigated and works are generally undertaken to address the concerns.

Similarly if any issues of accessibility are raised directly with the Roads Service, officers will investigate these concerns and will take steps to resolve them. Concerns raised directly with the Service can vary from lack of dropped kerb access, obstructions in the footway from parked cars, bins or advertising signs. All reported issues are investigated and steps are taken to address the concerns raised.”

(h) a question by Councillor Donald L. Reid to the Cabinet Member for Health and Social Care, in the following terms:-

“The Cabinet Member will be aware of changes about to be actioned with regard to the contract for the provision of hearing (audiology) services to NAC by Action for Hearing (SAC lead authority for three Ayrshires). Several volunteers who provide key services in terms of manning audiology drop-in clinics in the Garnock Valley area advise that the first class services currently provided in North Ayrshire will drop from 7 clinics to 3 and that no home visits or care home visits will take place after July 2018. Such visits are absolutely vital, especially for older folk and those with disabilities. He will be aware that this service is provided mainly by volunteers whose commitment and professionalism is first class. I would ask the Cabinet Member to explain how local folk in North Ayrshire with hearing issues will be impacted by this reduction in service and outline how local people with hearing issues can be supported in future.”

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

“There has been no intimation received by the Health and Social Care Partnership that the services and supports currently provided are to be reduced in any way. South Ayrshire currently lead on the contractual arrangements and are scheduled to meet with Action for Hearing this week. North Ayrshire Health and Social Care Partnership officers have raised the issue and await assurance that services will not be affected.

If there are any issues arising from South Ayrshire’s meeting, which suggest any impact on the services, particularly in the Garnock Valley, I will update Councillor Reid as soon as possible.”

(i) a question by Councillor Murdoch to the Cabinet Member for Place, in the following terms:-

“Why is it necessary to have an assisted crossing / lollipop person within the grounds of the new Largs Campus? Was there a survey carried out in advance and if so what was the result?”

Councillor Cullinane, on behalf of the Cabinet Member for Place, thanked the Member for his question and responded in the following terms:-

“During the construction process for the Campus positions for reallocating the existing four school crossing patrols were examined in collaboration with the Roads Safety Officer, Facilities Management Team, Head Teachers and the project team. The positions were identified to facilitate access via the suitable routes to the Campus. The position inside the Campus was not subject to a PV square assessment, but would by its nature and position have the greatest concentration of vehicles and pedestrians of any of the crossing points. It was considered that an unsupervised crossing at this point could lead to congestion both in and outside the Campus whilst a steady stream of pedestrians crossed or that the traffic would not stop to allow crossing. The need for this crossing patrol will be reviewed after the summer break as the campus will have had several months' full operation by that time.”

As a supplementary question, Councillor Murdoch made reference to comparative figures he had collected on vehicle and pedestrian movements in the grounds of the new Campus and at Moorburn Road, Largs and asked that particular attention be paid to the latter location when crossing arrangements were reviewed.

Councillor Cullinane responded by thanking the Member for the data he had gathered and reassured him that this would be taken into account as part of the planned survey.

- (j) a question by Councillor Murdoch to the Cabinet Member for the Economy, in the following terms:-

“How much revenue was lost to the Largs Seafront Car Park Fund between Good Friday 30 March 2018 and Tuesday 15 May 2018 due to cars being unable to access spaces as a result of the location of a construction compound?”

Councillor Cullinane, on behalf of the Cabinet Member for Place, thanked the Member for his question and responded in the following terms:-

“It is difficult to quantify the exact amount of lost revenue due to the location of the construction compound as car park income is variable and can be affected by other factors e.g. weather. However, when reviewing income for the same period over the last 2 years, the difference is less than £2,000.”

As a supplementary question, Councillor Murdoch whether there would be any compensation paid to the Car Park Fund in recognition of the loss of income and, if so, the source of those funds.

Councillor Cullinane responded by indicating he was unaware of any intention to pay compensation, particularly given the difficulty in fully quantifying the loss of income, and expressed the view that Largs was in the uniquely fortunate position of deriving income from parking which would, he was sure, be very welcome if available in other parts of North Ayrshire.

- (k) a question by Councillor Murdoch to the Cabinet Member for the Economy, in the following terms:-

“Why is it necessary to have an Environmental Impact Assessment (EIA) for the proposed development at the Arran Ferry Terminal within Ardrossan Harbour and not for the Oil Rig Decommissioning Yard at Hunterston?”

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

“The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations outline the screening process and circumstances in which new development may require an EIA. There is a set screening process which must be followed to determine whether an EIA is required to support a planning application. The Regulations explain the process in detail referring to two types of development, Schedule 1 and Schedule 2.

Schedule 1 Development always requires EIA, Schedule 2 Development requires EIA **only** if it is likely to have significant effects on the environment by virtue of factors such as its nature, size or location.

In the case of Hunterston Construction Yard the proposals were screened in May 2017 by the Council as Planning Authority and were considered to be a Schedule 2 Development. Whilst accepting that the proposed development had the potential to result in adverse environmental effects, in considering the operations and activities already authorised by an existing planning permission for the site, it was not considered that significant environmental effects would occur and instead an Environmental Appraisal submitted along with the planning application(s), would allow further detailed assessment of any potential environmental issues. The proposals were also screened by Marine Scotland, under their own EIA Regulations, where it was determined that EIA was not required.

With respect to Ardrossan Harbour a Harbour Empowerment or Revision Order is local legislation that governs a port. It is made by Scottish Ministers. An Order can allow certain projects. Where a project is proposed a screening process must be undertaken in line with Schedule 3 of the Harbours Act 1964. Scottish Ministers are responsible for screening the development to determine whether an EIA is required. In considering whether an EIA is required Scottish Ministers will consult with SEPA, SNH and the Council as Planning Authority. The instruction to appoint the relevant specialist to prepare the work for screening has just been made by Peel Port.

Further information regarding Harbour Orders can be found at <https://www.transport.gov.scot/transport-network/ports-and-harbours/>

As a supplementary question, Councillor Murdoch made reference to the detailed provisions of Section 12 of the guidance notes to the Petroleum Act 1998 as they related to EIA requirements for the decommissioning of oil and gas platforms, asked a number of further questions and whether advice that an EIA was not required at Hunterston should be revisited in light of this guidance and the opinion of Scottish Natural Heritage on the matter.

Councillor Gallagher responded by undertaking to request Planning officers to examine the points raised in detail.

At the request of the Provost, Councillor Murdoch undertook to provide his supplementary questions in writing, for circulation to all Members.

(I) a question by Councillor Foster to the Leader of the Council, in the following terms:-

“The i3 business area, Scotland’s Life Sciences Enterprise Zone, is situated within my ward. I am dismayed at the recent decision to snub i3, and consequently North Ayrshire, as the location for the new Medicine Manufacturing and Innovation Centre, a project that officers of this Council have worked on for some time and which formed a key part of the Ayrshire Growth Deal. Can the Leader advise Council what action is being taken following this most recent investment snub for North Ayrshire?”

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

“I am extremely disappointed at the decision to base the Medicines Manufacturing Innovation Centre (MMIC) at Inchinnan. The UK and Scottish Government's, and their agencies Scottish Enterprise and Innovate UK, have overlooked Irvine as a location despite the compelling socioeconomic case for North Ayrshire, even though the project had significant public sector investment, including from Scottish Enterprise and Innovate UK.

I have written to both the Cabinet Secretary for Economy, Jobs and Fair Work, Keith Brown MSP, and the Secretary of State for Scotland, David Mundell MP to outline my frustration at this decision and have also instructed the Council Chief Executive to meet with the new Chief Executive of Scottish Enterprise. I have asked for a full disclosure of the MMIC site assessment made along with the justification that led to the award of £15m by Scottish Enterprise.

I believe this is a clear contradiction to the Scottish Government policy of inclusive growth – meaning all people and places can participate in growth – and also the UK Government's Industrial Strategy which aims to rebalance the UK economy given stark regional inequality.

Our life sciences proposal in Irvine is very strong, and i3 is Scotland's Life Sciences Enterprise Zone, a status recognised by both the UK and Scottish Governments. This decision completely undermines the Enterprise Zone status.

Furthermore, £10million of investment has already went in to i3 and the area has been chosen by the Scottish Government to propose a £5million Tax Incremental Finance (TIF) initiative. This one decision called into question this investment.

All of this and the support of large multi-national businesses, already located there, would have allowed the MMIC project to get up and running at i3 immediately.

This is the second decision that has recently been made which conflicts with the Scottish Government's policy of inclusive growth. North Ayrshire was recently overlooked as a location for the new Social Security Agency, where the local economy could have benefited from around 750 much needed new jobs. This was despite the Scottish Government's own analysis showing North Ayrshire would benefit most from these jobs. That snub was made on the unproven grounds that workers with the necessary skills couldn't be recruited here in North Ayrshire – a shocking assessment for any Government to make against any area.

The Member is correct to highlight that this project formed a key component of the Ayrshire Growth Deal proposals and I have asked both the Scottish and UK Government to clearly outline how they will now support North Ayrshire, an area where a third of children live in poverty, with one of the lowest job densities in Scotland, and an area that consistently has one of the lowest employment rates in Scotland. It's time for action not words."

As a supplementary question, Councillor Foster asked whether, in the interests of transparency, the Leader would make all related correspondence publicly available.

Councillor Cullinane responded that he was happy to discuss the matter with officers and representatives of both governments and be as transparent as possible in sharing information.

(m) a question by Councillor Sweeney to the Leader of the Council, in the following terms:-

"Universal Credit Full Service was rolled out in North Ayrshire on 22nd November 2017. Evidence from other areas where UC Full Service has been introduced have shown a sharp increase in rent arrears of UC claimants. Can the Leader of the Council give an early indication of the impact UC Full Service has had on North Ayrshire Council rent arrears?"

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

"Similar to other areas, North Ayrshire has seen an increase in rent arrears as a result of the introduction of UC Full Service on 26 November 2017.

On 26 November 2017, 3,640 tenants were in arrears, totalling £875,475.07. On 28 May 2018, 4,112 tenants were in arrears totalling £1,107,768.41.

The number of tenants claiming Universal Credit rose from 464 on 26 November 2017 to 1,366 on 28 May 2018. In comparing arrears for UC claimants only, this has risen from £129,337.56 to £467,509.86 during the same period. North Ayrshire Council are receiving direct rent payments from the DWP for almost 600 tenants claiming Universal Credit.

North Ayrshire has performed well in arrears recovery throughout 2017/18, with gross rent arrears (including former tenant arrears and write offs) of 3.59% in comparison to the 5.3% Scottish average for 2016/17. The Welfare Reform Advice Team continues to make contact with each tenant claiming UC to assess and provide support to manage the claim, maximise income and make rent payments to avoid arrears."

(n) a question by Councillor Marshall to the Leader of the Opposition, in the following terms:-

“The well respected and independent Institute for Fiscal Studies (IFS) have recently commented that the blueprint for independence laid out by SNP’s Growth Commission implies at least another decade of the sort of restraint on public spending that Scotland is currently experiencing.

If true and with UK public expenditure expected to grow at a greater rate, assuming an Independent Scotland, what cuts to public services would the SNP Opposition Group on North Ayrshire propose or support over the next 10 years to balance the budget?”

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

“Oh, the irony! A party whose leader says the SNP is obsessed with independence. When our current group of Tory councillors stood on a single issue platform of “no to independence”, even I didn’t think he would get it on to the agenda of a North Ayrshire Council meeting. So well done, Tom.

And I’m truly delighted that, in his question, he is not only “assuming” an independent Scotland, but assuming it will happen while I’m still Leader of the Opposition in this council. If he can come over from the dark side, then our job is done.

So let’s look at the other assumptions Councillor Marshall has made. Firstly, that there will be a referendum in the next four years, good. That the YES campaign will win, great. That independence will be declared within that timescale, even better. And that the SNP will be in government in this newly independent Scotland. I should say to my group that if we are planning to achieve independence within Councillor Marshall’s timescale, we better get our skates on!

So next assumptions, firstly that the SNP would adopt the very cautious approach set out in the Scottish Growth Commission report and it is a very cautious approach. Secondly, that that would be worse than the alternative of remaining in a Brexit UK.

Let’s unpick that. The GC categorically rejects austerity and provides for an annual real term growth in public expenditure of 0.5%. That’s in contrast to the real term annual UKG cut in public expenditure of 0.2% between 2009 and 2017, so already it’s looking better than what’s gone before.

Could that annual growth in public expenditure be higher than 0.5%? Yes, it could be. The IFS recognises that the economy of an independent Scotland could be given a boost and public expenditure increased by taking the decisions that would be right for the Scottish economy. For example, and this is an example suggested by the IFS, we could look at a different immigration policy which would counterbalance the cost of an ageing population and workforce. A devolved immigration policy is something that others, including COSLA, are looking at, but with Tom's prediction of an independent Scotland round the corner, we don't need to worry about persuading Westminster of that.

Contrast that with what the IFS have to say about Brexit Britain: an unprecedented lost two decades of earnings growth and many more years of austerity.

So, given Tom's support for a healthy, high spending public sector, I'm sure Tom will be reassured that this can be achieved in the independent Scotland he predicts with the right government making the right choices for a Scottish economy which is free from the disastrous cliff edge that his party is currently heading towards."

As a supplementary question, Councillor Marshall asked whether Councillor Burns was aware of the Laffer Curve and the effect on the economy of going down the road of high spending.

Councillor Burns responded in the affirmative and extended an invitation to Councillor Marshall to join her and other YES supporters at a number of events over the summer to discuss the finances of an independent Scotland.

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

"Is the Leader of the Council still of the view that investment by the Council in the purchase of a private sector retail businesses guarantees a return on capital?"

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

"What I am of the view of is that where thorough diligence is undertaken, that provides an evidence base that bringing a local asset into public, or more accurately municipal ownership will bring an income to the Council, that can be invested in the regeneration of our towns, we should be bold enough to pursue that rather than leaving the profits from that asset in private, and indeed foreign hands."

As a supplementary question, Councillor Marshall referred to a number of retail businesses which have cut their workforce recently and asked whether he would congratulate Conservative Members and some SNP Group Members for not supporting the purchase in question.

Councillor Cullinane responded by questioning if any of the retailers in question actually had a unit within the Rivergate. He asserted that Rivergate was effectively Irvine town centre and the thoroughfare to go from that side of the town to the train station. Councillor Cullinane indicated that the Rivergate had its own marketplace in the retail sector, which had seen it through the last recession, and questioned whether or not Councillor could say what impact the last recession did have on the centre and what that was in terms of rental income or unit vacancies.

18. Motions

In terms of Standing Order 13, submitted:-

- (a) a motion by Councillor Macaulay, seconded by Councillor Davidson, in the following terms:-

"Unison have recently launched its apprenticeship charter which provides a tool to ensure apprenticeships deliver positive outcomes for both apprentices and employers. Well-funded, high quality apprenticeships which lead to a meaningful job, make an important contribution in addressing skills gaps and tackling youth unemployment. The most effective apprenticeships are developed by a joint approach, involving employers, trade unions, training providers, and apprentices. This Council has a good record on provided high quality apprenticeships that delivers good outcomes for apprentices and also employers. The Council therefore pledges to work with trade unions and partners to agree an Apprenticeship Charter for North Ayrshire Council."

In the absence of Councillor Macaulay, Councillor Burns moved the motion. There being no amendment, the motion was declared carried.

- (b) a motion by Councillor Brahim, seconded by Councillor Burns, in the following terms:-

"Keep Scotland Beautiful recorded that 82.8% of motorways and A road verges in Scotland were littered in 2016/17. Furthermore, 68% of Scottish adults believe the amount of roadside litter is problematic and 88% of Scottish adults believe it creates a negative impression of Scotland.

Council understands the importance of keeping North Ayrshire's roads as litter free as possible to maximise its appeal for visitors and residents alike as well as for environmental health reasons, and believes that prevention is a key element in tackling the problem.

Council therefore resolves to support Keep Scotland Beautiful's Roadside Litter Campaign, encouraging drivers across North Ayrshire to "give their litter a lift" by conducting an ongoing publicity campaign, exploring options to optimise the presence and location of roadside bins and monitoring roadside litter levels.

Finally, in line with the Scottish Government Litter Strategy, Council supports ongoing efforts to strengthen legislation in order to remove barriers to enforcement in relation to littering from vehicles."

Councillor Barr expressed the view that an over provision policy for planning applications would have a positive impact on reducing litter, particularly from take-away providers.

Councillor Cullinane expressed his support for the motion, but requested that the mover and seconder consider an addition to the end of the second last paragraph of the motion, to read “and notes that North Ayrshire Council is launching its own roadside litter campaign in the next few years.”

In terms of Standing Order 14.5, Councillor Brahim and Burns agreed to alter their motion, as requested. There being no amendment, the motion, as amended, was declared carried.

(c) a motion by Councillor Davison, seconded by Councillor Larsen, in the following terms:-

“North Ayrshire Council recognises the significance of Kilwinning Academy being awarded the LGBT Youth Scotland Bronze Charter Mark in recognition of the outstanding work of the school's LGBT group; their many areas of excellent practice; and their thoughtful and comprehensive journey leading to an improved culture throughout the school community; and that Council congratulate them on this outstanding achievement and encourages our other schools to emulate their success.”

As an amendment, Councillor Cullinane, seconded by Councillor Bell, moved the terms of the motion, subject to the addition of the following wording to the final paragraph, namely “and agrees to ask that the Provost write to the school to record the Council's congratulations.”

In terms of Standing Order 14.5, Councillor Brahim and Burns agreed to alter their motion, as requested. There being no amendment, the motion, as amended, was declared carried.

Notwithstanding the terms of the formal motion, as amended, the Provost extended an offer to visit the school, together with the mover and seconder of the motion, should they or any other Member wish to accompany him.

Referring to the inclusion of congratulatory motions as part of Council Agendas, the Leader of the Council expressed the view that a more appropriate mechanism be found to bring such matters to public attention. The Chief Executive undertook to put in place suitable arrangements for presenting alternatives for the Council's consideration.

Councillor Gurney requested that such consideration be extended to examining the appropriateness of including vainglorious questions on Agendas. The Chief Executive undertook so to do.

- (d) a motion by Councillor McClung, seconded by Councillor Dickson, in the following terms:-

“That Council commends the Scottish Government for the passing of its new Domestic Abuse (Scotland) 2018 Act. This recognises as a criminal offence, not only the more obvious forms of domestic abuse involving physical and sexual violence, but also its more subtle manifestations, which may take the form of isolating one’s partner from friends and relatives, controlling his/her day-to-day activities, and frightening, humiliating, degrading or punishing said partner or ex-partner, all of which can have a profound detrimental effect on the victims of such abuse. The Act also recognises that not only adults, but children under eighteen, can suffer from domestic abuse.

Council agrees to continue to work with our Community Planning partners and Community Justice Ayrshire partners to reduce domestic violence, raise awareness of the changes in the Domestic Abuse (Scotland) Act and promote the support which is available to families that have been, or are currently being, affected by domestic abuse.

Further, that Council commends the work of North Ayrshire Women’s Aid and the Young Voices volunteers for their campaign to highlight the changes to the legislation, and also to promote healthy relationships for the young people of North Ayrshire.”

There being no amendment, the motion was declared carried.

- (e) a motion by Councillor Davidson, seconded by Councillor McClung, in the following terms:-

“That North Ayrshire Council congratulates Kilwinning’s Corsehill Primary School on its outstanding achievement of winning the prestigious National Competition in The Best Garden for One Planet Picnic Award at Gardening Scotland in Edinburgh in June 2018; understands that the pupils were tasked with cultivating their creative garden designs which reflected the 2018 competition themes of growing food for people, gardening for wildlife and the UN Sustainable Development Goals; notes that the entries were required to use plants that can be eaten and attract biodiversity, reuse materials that would otherwise be thrown away, and that the garden should use clean and affordable energy sources; Council also notes that Corsehill Primary School placed as joint winner of the My Favourite Garden Award.”

As an amendment, Councillor Marshall, seconded by Councillor Gallacher, moved that, in addition to the terms of the motion, the Council also be invited to congratulate staff and pupils of the school on the recent excellent HMI report.

As a further amendment, Councillor Cullinane, seconded by Councillor Bell, moved that, in addition to the terms of the motion and amendment, the Council also agrees to ask that the Provost write to the school to record the Council’s congratulations.

In terms of Standing Order 14.5, Councillors Davidson and McClung agreed to alter their motion to incorporate the terms of both amendments. There being no further amendment, the motion, as amended, was declared carried.

Notwithstanding the terms of the formal motion, as amended, the Provost extended an offer to visit the school, together with the mover and seconder of the motion, should they or any other Member wish to accompany him

The meeting ended at 4.25 p.m.



PROVOST'S REPORT

28 June for the period covering: 20 June – 10
September 2018

The attached report gives a summary and brief details to Council, of meetings and events attended by the Provost of North Ayrshire Council, Councillor Ian Clarkson.

PROVOST'S REPORT

28 June for the period covering: 20 June – 10 September 2018

Since the last meeting of the Council I have attended various events throughout North Ayrshire.

Twin Town Visit, Irvine Burns Club, Irvine, 28 June

On 28 June a delegation from Largs Twin Town, Andernos-les-Bains, visited Irvine Burns Club where they were given a tour of the Burns Centre and Museum and enjoyed an entertaining presentation. I was happy to host a welcome reception at Irvine Burns Club for the visitors which gave the Club the opportunity to promote themselves and Robert Burns to a wider audience.

Ayrshire Divisional Recognition Awards Ceremony, Ayr Town Hall, 28 June

On the evening of 28 June I attended the Ayrshire Divisional Recognition Awards Ceremony in Ayr Town Hall. The event recognised and celebrated the hard work, bravery and commitment of our police officers and staff.

Armed Forces Day Parade, Irvine, 1 July

On 1 July I was delighted and proud to take part in the Armed Forces Day Parade in Irvine. The event was arranged by the Irvine Branch of the Royal British Legion Scotland and gave our local communities the opportunity to thank and show our appreciation to all those serving in our Armed Forces.

The Kut O Benevolent Society Dinner, Glasgow, 2 July

On 2 July I attended the annual Kut O Benevolent Society Dinner in Glasgow. The Kut O Benevolent Society is the Asian Association of Culture, Commerce and Education in Europe. Events like these provide excellent networking opportunities and give an insight into the positive contribution our Asian community make in our communities here in North Ayrshire.

US Ambassador's Reception - 242nd Anniversary of the Independence of the USA, Royal Botanic Garden, Edinburgh, 3 July

On 3 July I, along with other civic heads throughout Scotland, attended a reception celebrating the 242nd anniversary of the independence of the United States of America. The event was hosted by Robert Wood, the Ambassador of the United States of America to the United Kingdom. The event took place in the Royal Botanic Garden in Edinburgh.

CHA Annual Tenants Conference, Seamill Hydro, West Kilbride, 4 July

On 4 July I was delighted to attend Cunninghame Housing Association's Annual Tenants Conference in Seamill Hydro. Events like these provide an ideal platform for engaging with the local community and it was a pleasure to meet so many people there.

North Ayrshire Open Art Exhibition, Racquet Hall Eglinton Country Park, 6 July

On 6 July I formally opened the North Ayrshire Open Art Exhibition which took place in Eglinton Park. I am always impressed and inspired by the work of the talented artists we have in North Ayrshire, many of whom exhibited at the event. The exhibition is arranged by a team of volunteers who work tirelessly behind the scenes to deliver the exhibition which, after 22 years, is firmly established and highly acclaimed within the art world.

Visit to Broomhall House, Residence of Lord Bruce, Broomhall House, Charlestown, Dunfermline, 12 July

On 12 July I visited Broomhall House, in Dunfermline which is the residence of Lord Bruce. Provosts in Scotland were invited as a guest of Lord Bruce and the Asian Association of Culture, Commerce and Education. We were given a reception and a viewing of the historic home of the family of Bruce.

Feis Arainn 2018 Concert, Arran High School, Isle of Arran, 27 July

On the afternoon of 27 July I attended the closing concert of Feis Arainn which took place in Arran High School. The Feis Arainn has been running since 1999 and offers young people the opportunity to participate in traditional music, song, drama and art. Workshops took place in the week running up to the concert which was an excellent showcase of talent.

Marymass Exhibition - The Reigning Years, Irvine Town House, 27 July

On the evening of 27 July I attended the launch of the Marymass Festival Exhibition – The Reigning Years in Irvine Town House. The Exhibition marked the 90th anniversary of Marymass Queens and Marys who were first introduced to the Festival in 1928.

"Art of the Future" Exhibition, Harbour Arts Centre, Irvine, 2 August

On 2 August I was delighted to attend a preview of "Art of the Future" exhibition which was held in the Harbour Arts Centre. This was a National Galleries of Scotland Exhibition in partnership with North Ayrshire Health and Social Care Partnership. Young people from the Rosemount Project's Activity Agreement, which is delivered by North Ayrshire Health and Social Care Partnership, worked alongside other young Scots to present their imaginative artworks. Their artworks are the outcome of a project that encouraged a variety of youth groups to make art from a mailed-out box full of random materials.

Picnic in the Park, McGavin Park, Kilwinning, 9 August

It was a great pleasure for me to officially open Picnic in the Park which was held on 9 August in McGavin Park in Kilwinning. The event was a great success and attended my many. There were many local voluntary organisations taking part which contributed to the overall success of the event and highlighted what vibrant communities we have here in North Ayrshire. The event itself was arranged by a team of volunteers who are to be congratulated on the work they carry out.

"Belt and Road" Chinese Culture and Art Festival - Reception and Performance, Edinburgh International Conference Centre, 10 August

On the afternoon of 10 August I attended the opening of the Chinese Culture and Art Festival in Edinburgh International Conference Centre. This consisted of an excellent performance piece, art exhibition and reception. This was a great opportunity to further develop the links we have with the Chinese community in North Ayrshire and in Scotland.

Official Reception Ambassador of the Republic of Poland, Usher Hall, Edinburgh, 10 August

On the evening of 10 August I was a guest of the Consul General of the Republic of Poland in Edinburgh at a reception to mark the centenary of Poland regaining its independence. The event took place in the Usher Hall in Edinburgh. The event started with a formal reception and was followed by a concert. I was delighted to represent North Ayrshire Council at this event and to be given the opportunity to promote all we have to offer to a wider audience.

West Kilbride Scarecrow Festival, West Kilbride Public Hall, 11 August

It was an honour to be asked to present prizes at this year's West Kilbride Scarecrow Festival in the Village Hall. This was a great opportunity to thank all those who participated and to congratulate the volunteers who organised this year's event.

Marymass Festival, Irvine, 16 – 27 August

This year's Marymass Festival in Irvine by all accounts was a great success. The Festival took place over twelve days with a wide ranging event programme providing something for everyone. I was fortunate enough to take part in many events and witness first hand all the excellent work that goes into the Festival by a huge band of volunteers. The Festival attracts many thousands each year to Irvine where communities come together and celebrate the town's history and heritage. I hosted a civic reception on Irvine Moor after the Marymass Festival parade and welcomed guests from home and abroad and was given the opportunity of showing Irvine at its very best.

Opening of Marymass Folk Festival, Vineburgh Centre, Irvine, 23 August

On 23 August I was delighted to officially open the 51st Marymass Folk Festival in the Vineburgh Centre, Irvine. The Festival was a great success and attracted many visitors and artistes to Irvine. The volunteers behind the Festival work tirelessly throughout the year to bring the best available performers to the Festival.

Reception for Visitors from Voisins, Cunninghame House, Irvine, 24 August

On 24 August I welcomed guests from Irvine's Twin Town, Voisins to Irvine. The delegation from the French Town Twinning Committee were in Irvine for the Marymass celebrations.

Largs Viking Festival, Largs, 1 September

On 1 September I attended my first ever Largs Viking Festival. I was very impressed by the event which attracted thousands of visitors to the Town and delighted to officially welcome everyone to Largs. The Festival gives us a fantastic opportunity to showcase Largs and indeed North Ayrshire at its very best to the thousands of visitors who attend the many events taking place. Events like these continue to have a significant and positive impact on our communities from both a social and economic perspective. They also highlight the inspirational work that goes on in every community by voluntary organisations and individuals.

Merchant Navy Day, Cunninghame House, Irvine, 3 September

On 3 September, I raised the Red Ensign at Cunninghame House to honour the brave service men and women who have served or are serving in the Merchant Navy.

Robert Burns World Federation Conference, Irvine, 6 - 9 September

I was delighted that the Robert Burns World Federation had again chosen Irvine to host their annual conference. I welcomed delegates to Irvine at a reception in the Town House on 6 September. Over 200 delegates attended from all parts of the World. On Saturday 8 September I attended the RBWF Installation and Ball which was held in the Portal, Irvine. Bill Nolan from Irvine who carries out a huge amount of voluntary work in our local community and is a past president of Irvine Burns Club was installed as the President of the Federation which is a huge and well deserved achievement. On Sunday 9 September I took part, with many other local organisations, in a parade and special church service at Irvine Old Parish Church and afterwards a wreath laying ceremony at the Burns Monument on Irvine Moor.

Ayrshire Apprentice of the Year, Portal, Irvine, 7 September

On 7 September I attended the Ayrshire Apprentice of the Year event held in the Portal, Irvine. The event was organised by Irvine incorporated Trades and attended by South and East Ayrshire Councils.

PROVOST'S REPORT



A handwritten signature in black ink that reads "Ian Clarkson". The script is fluid and cursive.

Councillor Ian Clarkson
Provost North Ayrshire Council



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

LEADER'S REPORT

For the period covering: 20 June – 10 September
2018

The attached report gives a summary and brief details to Council, of meetings and events attended by the Leader of North Ayrshire Council, Councillor Joe Cullinane.

LEADER'S REPORT

For the period covering: 20 June – 10 September 2018

GLENCAIRN SHELTERED HOUSING UNIT, 21 June

On 21 June, I was delighted to be asked to attend the official opening of Glencairn Sheltered Housing Unit at Bill Smith Court in Stevenston. This modern, state-of-the-art facility provides 28 affordable, high-quality sheltered homes for the elderly.

The £5.3 million Glencairn House development also incorporates the Council's first district heating network, shared with the adjacent Glencairn Primary School, which will help to reduce the cost of heating for our residents and address the issue of fuel poverty. This fantastic initiative will reduce our own carbon footprint by using a sustainable energy source and it is hoped that by 2030, North Ayrshire will have reduced its carbon emissions by 40%.

Two further district heating systems are also being proposed for new build Council housing developments in Dalry and in Largs, comprising 169 properties in total. These schemes are scheduled for completion in 2019/20 and 2020/21 respectively.



(Left to right) Councillor John Sweeney, Patricia Gibson MP, Provost Clarkson, Councillor Davina McTiernan and Council Leader, Joe Cullinane

NORTH AYRSHIRE ECONOMIC, REGENERATION AND DEVELOPMENT BOARD, 28 June

The North Ayrshire Economic, Regeneration and Development Board met on the 28 June where the establishment of a Regional Ayrshire Partnership for Inclusive Economic Growth was the main item for discussion. It is hoped that the Pan-Ayrshire delivery model will secure our ambitious Ayrshire Growth Deal, see growth in our local economy and boost our local tourism sector.

Negotiations continue with the Scottish Government, its agencies and regional partners to secure commitment to the new partnership model.

COSLA LEADERS, 29 June

On 29 June, COSLA Leaders met to discuss a packed agenda including Brexit, the EU Settlement scheme and the Prescription Scotland Bill. Leaders also considered a report which gave them an update regarding the initiation of Strand 2 of the Review of Local Governance.

Councils noted that a wide range of public services were being invited to identify the reforms that they wished to see as part of an iterative development process.

SUMMER CODE CAMP, 12 July

On 12 July, I paid a visit to Elderbank Primary School in Irvine to find out more about the "Summer Code Camp". The summer camp forms part of our "Coding the Future" programme which provides the opportunity for young people to improve their digital literacy skills and offers an alternative activity to sport and crafts to enjoy during the summer holidays.

The week long summer camp saw 25 young people between the ages of 9-13, take part in a series of activities designed to teach them how to code through the use of a visual coding language called Scratch.

The summer camp forms part of the Council's 'Coding the Future' programme which sees a variety of council staff volunteer as STEM (science, technology, engineering and mathematics) ambassadors and help facilitate coding clubs within local schools and libraries.

There has been huge interest by our young people in this programme and I would like to thank all the Council staff who volunteer as STEM ambassadors to help out with this project within local schools and libraries.

VISIT TO ELDERLY CARE HOMES, 27 July

Together with our Older People's Champion, Councillor Jimmy Miller, I visited two of our elderly care homes on 27 July. Anam Cara based in Kilbirnie and Buckreddan Care Home based in Kilwinning.

Anam Cara in Kilbirnie, is a 14 bedded dementia respite facility for adults with dementia or cognitive impairment and provides a much needed break for carers throughout North Ayrshire - including the islands. The facility also has great inclusion links with all the community groups in the Garnock Valley and intergenerational activities with St Bridget's Early Years Centre which is located next door.

Buckreddan is a private care home offering accommodation and care to the elderly on a much larger scale and allows for a personal level of care to be undertaken by the dedicated staff that work there.

I would especially like to thank Clare Mills and her team for hosting what proved to be a very informative visit and for giving myself and Councillor Miller a deeper insight into dementia.



Council Leader Joe Cullinane, Clare Mills (Anam Cara Senior Manager) and Councillor Jimmy Miller (Older People's Champion)



Councillor Jimmy Miller chats to residents at Anam Cara over a cup of tea.

SCHOOL EXAM RESULTS, 7 August

On 7 August, I visited some of our local secondary schools (Irvine Royal Academy, Kilwinning Academy, Ardrossan Academy and Greenwood Academy) to meet and chat with some of the pupils who had just received their exam results. I am pleased to say that overall, results showed continued success at a range of levels across the authority with passes at Higher level remaining strong and consistent with last year's performance. This year also saw a higher number of pupils achieving success in their Advanced Highers, an improvement on last year's success.

Congratulations to all our pupils who have worked hard throughout the year.

EU CITIZENS EVENT, 7 August

On the evening of 7 August, I took part in a Pan-Ayrshire/Scottish Government EU citizens' event here in Cunninghame House. The aim of the event was to communicate and reinforce the message of the value placed by the Scottish Government and the Ayrshire Councils on EU/European Economic Area (EEA) citizens living in Scotland and their contribution to our culture, economy and society.

We were joined by the Cabinet Secretary for Government Business and Constitutional Relations, Michael Russell MSP, who was able to provide clarity on key issues around Brexit and some of the negotiations that the Scottish Government were undertaking to safeguard citizens' rights and future EU migration.

The event also provided a platform for EU and EEA nationals living in Ayrshire to raise their views and any concerns they have relating to living in Scotland post Brexit.

ARDROSSAN TASK FORCE MEETING, 13 August

On 13 August, I attended a meeting of the Ardrossan Task Force in Atlantic Quay. The meeting was chaired by Cabinet Secretary for Transport, Infrastructure and Connectivity, Michael Matheson MSP, who began the meeting by reaffirming Ardrossan as the mainland port for Arran and Campbeltown ferry.

There was an update on the work of the Ardrossan Steering Group followed by a thorough discussion on service continuity. It is the shared objective of all of the Ardrossan Task Force members to maintain ferry services from Ardrossan during the closure of the Arran Berth.

PERIOD POVERTY LAUNCH, 17 August

On 17 August, North Ayrshire Council become the first local authority in the UK to offer free sanitary provision in its public buildings. This announcement, which is an extension to our already successful secondary schools period poverty programme, enables females across North Ayrshire to access a free supply of sanitary products in places such as libraries, community centres and public offices.

The launch took place at Kilwinning Academy and I am pleased to say we were joined on the day by Monica Lennon MSP, who has been a leading figure in the fight against period poverty



and who has been progressing the Sanitary Products (Free Provision) (Scotland) Bill through the Scottish Parliament.

I am proud to say that we are leading the way in the fight against period poverty.. Of course, this could not have been possible without the work of our officers who have made it happen and I would like to thank them for their dedicated work on this worthwhile project.

I would also like to thank all the people who took the time to come along to Kilwinning Library to take part in the launch especially our young people who spoke to journalists about what this means to them on a personal level.



Some of our wonderful YOYP Ambassadors at the launch with Council Leader, Joe Cullinane, Monica Lennon MSP and Minnie McNaught from North Ayrshire Council (far right)

ARDROSSAN EMPLOYABILITY HUB, 21 August

I attended the official reopening of the Ardrossan Employability Hub at Glasgow Street in Ardrossan on 21 August. Developing the skills of our workforce and tackling inequality are both issues that are extremely important to me as an individual and as Leader of North Ayrshire Council. That is why it has been one of our top priorities for this Administration to ensure that we address both issues and provide opportunities, like our Employability Hubs, to benefit our local community.

I am encouraged by the success of our other Employability Hubs based in Fullarton, Stevenston, Kilwinning and Kilbirnie. To date, they have cumulatively received over 6,000 visits and supported more than 1,600 residents by providing them with the help they need to find work.

Of course, this has been a joint effort and I would like to thank all the partners involved: CEIS, Job Centre Plus, Ayrshire Chamber, Skills Development Scotland, the Department of Work and Pensions (DWP), Ayrshire College and the Lennox Partnership.

And I would like to give a special thanks to Cunninghame Housing Association who decided to encourage social enterprise and the public sector to make use of the building to support the local community. Because of this approach, North Ayrshire Council and partners have been able to afford this facility and do exactly that; support our local community.



North Ayrshire Council Leader, Joe Cullinane, North Ayrshire Council Chief Executive, Elma Murray OBE, Cabinet Member for Economy, Councillor Alex Gallagher and hub Co-ordinator, Alison Corbett

FAIR FOR ALL ADVISORY PANEL, 22 August

On 22 August, I attended the Fair For All advisory meeting in Cunninghame House. The advisory panel received updates on a range of subjects including our approach to becoming a Child Centered Council, The Place of Kindness, Food Theme and pledges and our Citizen's Basic Income.

The Panel were also given a presentation on the Poverty Alleviating Grants Tool which provides information on the benefits/grants received by North Ayrshire residents from the Council.

AILEEN CAMPBELL, CABINET SECRETARY VISIT, 24 August

On 24 August, North Ayrshire Council welcomed Aileen Campbell, the Cabinet Secretary for Communities and Local Government to Ardrossan Academy. The Cabinet Secretary met with some of the S5 Higher Modern Studies class to learn about how our pioneering period poverty scheme was supporting young women in school.

I can think of no better place than North Ayrshire for the Cabinet Secretary to have announced the Scottish Government's plans to provide funding for local authorities across Scotland to develop period poverty initiatives such as ours. North Ayrshire Council has led the way on this issue and I am delighted that in the first year alone pupils have benefitted from almost 13,000 free sanitary products.

VISIT BY SCOTTISH GOVERNMENT TO ARRAN, 27 August

On 27 August, we welcomed the First Minister and her Cabinet to the Isle of Arran for a series of events including their Cabinet meeting, a public engagement Q&A session and a number of individual Ministerial visits.

During the day, the First Minister met with a group of care experienced young people and I had the pleasure of joining them afterwards for lunch along with the Chief Executive. This was my personal highlight of the day.

I would also like to pay particular thanks to our staff again for facilitating these visits and of course to the staff and pupils at Arran High who made everyone feel so welcome on the day.

MEETING WITH CABINET SECRETARY, MICHAEL MATHESON, 28 August

On the 28 August, the three Ayrshire Council Leaders together with their Chief Executives held a meeting with the Cabinet Secretary for Transport, Infrastructure and Connectivity, Michael Matheson to discuss the Ayrshire Growth Deal and the Regional Partnership for Economic Growth.

We remain hopeful that our proposals contained in the bid will be successful in receiving the funding required from the UK and Scottish Governments. We are also working with government policy leads to ensure that projects initially developed some time ago have been updated to reflect current government policies.



If successful, the funding will allow us to develop the many projects in the areas of innovation, inclusive growth, coastal and community regeneration, transport and aerospace.

MEETING WITH DEPUTY FIRST MINISTER, JOHN SWINNEY, 28 August

Together with the Cabinet Member for Education, Councillor John Bell, our Chief Executive, Elma Murray OBE and Head of Service for Inclusion, Caroline Amos, we held productive discussions with the Deputy First Minister, John Swinney MSP, on 28 August in Atlantic Quay.

Productive discussions were held on a range of subjects including our Schools for the Future programme, investment in our existing schools estate, funding for Ardrossan Academy and new Additional Supports Needs campus.

INTRODUCTORY CALL WITH MINISTER FOR ENERGY, CONNECTIVITY AND THE ISLANDS, 29 August

On the 29 August, I had an introductory conversation with the Minister for Energy, Connectivity and the Islands, Paul Wheelhouse MSP. The Minister and I spoke for over an hour on the following issues:

- Development of Hunterston as a National Strategic West of Scotland Hub
- Health and Social Care challenges on Arran around a rapidly aging population
- Demand for social housing on Arran
- Improved digital connectivity on Arran
- How to increase the working population to sustain and grow the economy on Arran

Together with our Executive Director for Economy and Communities, Karen Yeomans, I will be having further discussions with the Minister at the beginning of November.

COSLA LEADERS, 31 August

COSLA Leaders met in Forfar on the 31 August for their monthly meeting. The packed agenda included an update on Brexit, an update on the Local Governance Review and discussion on the EU Settlement scheme.

I am pleased to say that COSLA Leaders have agreed to work with the Home Office and Scottish Government to support and inform EU citizens in our communities about the EU Settlement Scheme. Leaders also agreed to seek more clarity on the Scottish Government's commitment to pay the settled status fees of EU citizens working in the public sector in Scotland by writing to the Minister for Europe, Migration and International Development.

VISIT BY CHILDREN'S COMMISSIONER IN SCOTLAND, 4 September

On 4 September, our Youth Services team welcomed the Children's Commissioner in Scotland, Bruce Adamson, to the Harbour Arts Centre. Our Youth Executive shared their experiences of projects they have been involved in throughout North Ayrshire and what this has meant to them as individuals.

I am left in no doubt that we, North Ayrshire Council, are leading the way in youth participation work and congratulate the officers involved who continue to deliver in this field.

FINALLY

Finally, I would like to thank our Chief Executive Elma Murray for her hard work, dedication and drive over the past 9 years. Your work has been outstanding and admired by all. On behalf of the Elected Members and staff at North Ayrshire Council thank you and best wishes in your future endeavors.



A handwritten signature in dark ink, which appears to read 'Joe Cullinane'.

Councillor Joe Cullinane
Leader North Ayrshire Council

NORTH AYRSHIRE COUNCIL

19 September 2018

North Ayrshire Council

Title: Elected Member Attendance

Purpose: To advise of the circumstances surrounding the non-attendance of an Elected Member and the relevant provisions within Standing Orders Relating to Meetings and Proceedings of the Council and its Committees.

Recommendation: That the Council agrees (a) to note (i) the exceptional circumstances surrounding Councillor Shaun Macaulay's non-attendance at any meeting of the Council, Committee, Joint Committee, Joint Board or other body as representative of the Council since the Council meeting on 9 May 2018 and (ii) the likelihood that Councillor Macaulay's absence may extend beyond the six-month period; and (b) that (i) in terms of Standing Orders and section 35 of the Local Government (Scotland) Act 1973, Councillor Macaulay's failure to attend is due to a reason approved by the Council and (ii) if required, a further update be submitted to the May 2019 meeting of the Council.

1. Executive Summary

- 1.1 In terms of the section 35 of the Local Government (Scotland) Act 1973, as incorporated into the Council's Standing Orders Relating to Meetings and Proceedings of the Council and Committees, an Elected Member who fails to attend any meetings of the Council, its committees, Joint Committees, Joint Boards or other body as a representative of the Council, throughout a six-month period ceases being a Member of North Ayrshire Council, unless their non-attendance is due to a reason approved by the Council.
- 1.2 In the case of Councillor Shaun Macaulay, serious illness has prevented him attending meetings since the last Council meeting on 9 May 2018. The period of time likely to be needed for his recovery is such that Councillor Macaulay's absence risks exceeding the six months provided for in Standing Orders. In the circumstances, the Council is asked to apply appropriate discretion to allow Councillor Macaulay to remain as an Elected Member.

2. Background

- 2.1 Section 35 of the Local Government (Scotland) Act 1973 states that "...if a member of a local authority fails throughout a period of six months to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority, cease to be a member of the authority....Attendance as a member at a meeting of any committee or sub-committee of the authority, or at a meeting of any joint committee, joint board or other body to whom for the time being any of the functions of the authority are being discharged, and attendance as representative of the authority at a meeting of any body of persons, shall be deemed to be attendance at a meeting of the authority."
- 2.2 In turn, this is incorporated into Standing Order 7.3, which states that:-
"Subject to the provisions of Section 35 of the 1973 Act and Section 19 of the 2000 Act, if a Member fails throughout a period of six consecutive months to attend any meetings of the Council, Committee, Joint Committee or Joint Board to which any function of the Council has been delegated, he/she shall, unless the failure to attend was due to some reason approved by Council cease to be a Member of North Ayrshire Council."
- 2.3 Case law provides that the six-month period mentioned above expires on the date of the next committee the Councillor could have attended after expiry of the six-month period.
- 2.4 Ward 1 (Irvine West) Elected Member Councillor Shaun Macaulay serves on the Council, North Ayrshire (Planning), the Local Development Plan Committee, Planning Committee and Local Review Body and was appointed by Cabinet as the Council's Young People Champion. Councillor Macaulay is also a Council representative on North Ayrshire Leisure Limited and serves on the Irvine Locality Partnership.
- 2.5 Recent ill health has meant that Councillor Shaun Macaulay, has not been able to attend a meeting of the Council or the committees on which he serves since the Council meeting held on 9 May 2018. Taking into account the case law referred to at 2.2 above, if Councillor Macaulay were to be unable to attend a meeting on or prior to the Planning Committee on 5 December 2018, he would, at that point cease to be a Member of North Ayrshire Council. The Council does, however, have the power to approve the reason for non-attendance, which will permit Councillor Macaulay to remain as an Elected Member beyond that date.

3. Proposals

- 3.1 The Council is invited to agree:-
- (a) to note (i) the exceptional circumstances surrounding Councillor Shaun Macaulay's non-attendance at any meeting of the Council, Committee, Joint Committee, Joint Board or other body as representative of the Council since the Council meeting on 9 May 2018 and (ii) the likelihood that Councillor Macaulay's absence may extend beyond the six-month period; and

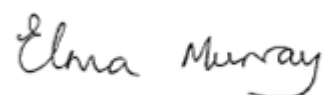
- (b) that (i) in terms of Standing Orders and section 35 of the Local Government (Scotland) Act 1973, Councillor Macaulay's failure to attend is due to a reason approved by the Council and (ii) if required, a further update be submitted to the May 2019 meeting of the Council.

4. Implications

Financial:	None arising from this report.
Human Resources:	None arising from this report.
Legal:	Failure by the Council to approve the reason for absence would result in Councillor Macaulay ceasing to be a Councillor on 5 December 2018, as provided for in section 35 of the Local Government (Scotland) Act 1973.
Equality:	None arising from this report.
Children and Young People:	Councillor Macaulay is the Young Persons' Champion and pending his return consideration may need to be given as to interim arrangements.
Environmental & Sustainability:	None arising from this report.
Key Priorities:	Not applicable.
Community Benefits:	Not applicable.

5. Consultation

- 5.1 Councillor Burns, as Leader of the SNP Group, has updated the Chief Executive on Councillor Macaulay's illness.



Elma Murray OBE
Chief Executive

For further information please contact Melanie Anderson, Committee Services Team Leader on telephone number 01294 324131.

Background Papers

N/A

NORTH AYRSHIRE COUNCIL

19 September 2018

Council

Title: **Representation of the Roman Catholic Church on Cabinet**

Purpose: To seek the appointment of Babs Mowat to replace Canon McManus as the representative of the Roman Catholic Church on Cabinet.

Recommendation: That the Council agrees to appoint Babs Mowat as the representative of the Roman Catholic Church on Cabinet when it considers Education business.

1. Executive Summary

- 1.1 This reports notes the resignation of the Very Reverend Canon Matthew Canon McManus from Cabinet. It seeks to appoint Babs Mowat as the representative of the Roman Catholic Church on Cabinet when it considers educational business.

2. Background

- 2.1 In terms of section 124 of the Local Government (Scotland) Act 1973, where an authority appoint a committee with education functions, it must appoint three religious representatives, one of whom is to be a representative of the Roman Catholic Church. Such representative is nominated by the Scottish Hierarchy of the Church.
- 2.2 At the Council meeting on 17 May 2017, the Very Reverend Canon Matthew Canon McManus was appointed as the representative of the Roman Catholic Church on Cabinet when it considers educational business. The Right Reverend William Nolan, Bishop of Galloway, has now advised that Canon McManus, after serving for many years on the Council's Education Cabinet is stepping down. He has advised that the Church have nominated Babs Mowat as his replacement. As mentioned in the attached correspondence, Ms Mowat was previously head teacher of Mount Carmel Primary in Kilmarnock and is currently a member of the Diocese of Galloway.

3. Proposals

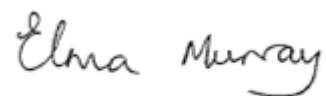
- 3.1 It is recommended that Council notes the resignation of the Very Reverend Canon Matthew Canon McManus from Cabinet, and agrees to appoint Babs Mowat as the representative of the Roman Catholic Church on Cabinet when it considers Education business.

4. Implications

Financial:	None arising from this report.
Human Resources:	None arising from this report.
Legal:	While in terms of section 124 the Council is to appoint religious representatives, the choice of nominee from the Church of Scotland or Roman Catholic Church is for those Churches to determine.
Equality: Children and Young People:	None arising from this report. The involvement of religious representatives in the education functions of Cabinet allows for religious involvement in decisions effecting the education of children.
Environmental & Sustainability:	None arising from this report.
Key Priorities:	Not applicable.
Community Benefits:	Not applicable

5. Consultation

5.1 No additional consultation required.



Elma Murray OBE
Chief Executive

For further information please contact Andrew Fraser, Head of Democratic Services on telephone number 01294 324125.

Background Papers

None



DIOCESE OF GALLOWAY, CANDIDA CASA, 8 CORSEHILL ROAD, AYR KA7 2ST

Telephone: 01292 266750

Email: bishop@gallowaydiocese.org.uk

09 August 2018

Mr Andrew A Fraser
Head of Democratic Services
North Ayrshire Council
Cunninghame House
IRVINE
KA12 8EE



Dear Mr Fraser,

Catholic Church Representation on North Ayrshire Council's Cabinet (Education)

After many years as the Catholic Church representative on NAC Cabinet (Education) Canon Matt McManus is stepping down.

I have asked Babs Mowat to replace him.

After many years working in education, Babs was head teacher of Mount Carmel Primary in Kilmarnock when she retired a few years ago. She is currently a member of the Diocese of Galloway's Education Strategy Committee.

Her contact details are:-

Babs Mowat

[REDACTED]
[REDACTED]
Cumnock
[REDACTED]

Tel: (home) [REDACTED]

Mobile: [REDACTED]

Kind Regards,

✠ William Nolan
Bishop of Galloway

CHIEF EXECUTIVE: Elma Murray
Cunninghame House, Irvine KA12 8EE
Tel: 01294 310000 Fax: 01294 324114
www.north-ayrshire.gov.uk

Your Ref: Our Ref: AF/jm

If telephoning please call: Andrew Fraser on ☎ (01294) 324125
Email: andrewfraser@north-ayrshire.gov.uk

15 August 2018



North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

Proud to be  Overall Council of the Year 2017

By email: bishop@gallowaydiocese.org.uk

The Most Reverend Bishop of Galloway
Diocese of Galloway
Candida Casa
8 Corsehill Road
AYR
KA7 2ST

Dear Bishop Nolan,

Catholic Church Representation on North Ayrshire Council's Cabinet (Education)

Thank you for your letter of 9 August 2018 in relation to the above.

I really appreciate you taking the time to write to me. However it is very disappointing that you are unable to appoint a Lay Member who resides in the North Ayrshire area.

The Council's Cabinet (Education) will meet on the following dates during 2018/19:

- Tuesday 2 October 2018 – 2.30 – 4.30 p.m.
- Tuesday 11 December 2018 - 2.30 – 4.30 p.m.
- Tuesday 15 January 2019 - 2.30 – 4.30 p.m.
- Tuesday 12 March 2019 - 2.30 – 4.30 p.m.
- Tuesday 14 May 2019 - 2.30 – 4.30 p.m.
- Tuesday 27 August 2019 - 2.30 – 4.30 p.m.
- Tuesday 29 October 2019 - 2.30 – 4.30 p.m.

I would be grateful if you would please consider appointing a member who resides in North Ayrshire to the Council's Cabinet (Education).

I look forward to hearing from you.

Yours sincerely

Andrew Fraser
Head of Democratic Services



DIOCESE OF GALLOWAY, CANDIDA CASA, 8 CORSEHILL ROAD, AYR KA7 2ST

Telephone: 01292 266750

Email: bishop@gallowaydiocese.org.uk

Your Ref. AF/jm

16 August 2018

Mr Andrew A Fraser
Head of Democratic Services
North Ayrshire Council
Cunninghame House
IRVINE
KA12 8EE

Dear Mr Fraser,

Catholic Church Representation on North Ayrshire Council's Cabinet (Education)

Thank you for your letter expressing reservations that the Church representative is not resident in the local authority area.

This is not uncommon in Scotland. Indeed in Galloway Diocese, which encompasses four local authority areas, not all representatives are appointed to the authorities in which they reside.

The Church representative's function is to represent me and the Diocese and to give a professional and accurate account of the Church's view on appropriate matters. All Church representatives meet with me and my educational advisors on a regular basis to keep me and the whole Diocese informed of the council proceedings. I am confident that Babs Mowat will be enthusiastic and competent in this role, which is why she is my preferred representative at this time.

I will of course take your concerns into account in any future appointments.

Kind regards,

✱ William Nolan
Bishop of Galloway

CHIEF EXECUTIVE: Elma Murray
Cunninghame House, Irvine KA12 8EE
Tel: 01294 310000 Fax: 01294 324114
www.north-ayrshire.gov.uk



North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

Proud to be  Overall Council of the Year 2017

Your Ref: Our Ref: AF/jm

If telephoning please call: Andrew Fraser on ☎ (01294) 324125
Email: andrewfraser@north-ayrshire.gov.uk

29 August 2018

By email: bishop@gallowaydiocese.org.uk

The Most Reverend Bishop of Galloway
Diocese of Galloway
Candida Casa
8 Corsehill Road
AYR
KA7 2ST

Dear Bishop Nolan,

Catholic Church Representation on North Ayrshire Council's Cabinet (Education)

Dear Bishop Nolan

Thank you for your prompt response of 16 August 2018, and your explanation of Ms Mowat's role in representing you and the Diocese.

I fully accept that the decision on who to appoint is one for the Church and I can confirm that I will ask Council at its meeting on 19 September 2018 to appoint her to Cabinet. Thereafter Ms Mowat can be welcomed to Cabinet on 2 October 2018.

My concern was that previous Church nominees have been an integral part of the North Ayrshire community, with a wide knowledge of issues facing it, the role of partners etc. This understanding has enabled them to make a wide contribution to the work of the Committee, covering ecumenical matters, as well as the position of the Church. The Cabinet have found this helpful.

While I note that that Ms. Mowat will be able to meet with you and your educational advisors on a regular basis, our concern was that, regardless of how able, her role could be more restricted. Presumably she will also be liaising with Church representatives in North Ayrshire and Headteachers of North Ayrshire schools?

If we can help to facilitate the latter, please do not hesitate to ask

Yours sincerely

Andrew Fraser
Head of Democratic Services

NORTH AYRSHIRE COUNCIL

19 September 2018

North Ayrshire Council

Title:	Arrangements for an Ayrshire Regional Economic Partnership
Purpose:	This report provides Council with an update on progress in respect of arrangements to create an Ayrshire Regional Partnership for Inclusive Economic Growth as agreed at Council on the 27 th June 2018.
Recommendation:	That Council notes i) the updated proposals to take this important work forward; ii) that further updates will be presented to Cabinet, and; iii) a further report will be submitted to put in place new Governance Arrangements to oversee the Ayrshire Growth Deal and Ayrshire Regional Economic Partnership.

1. Executive Summary

- 1.1 Members will recall the report presented to Council on the 27th June 2018 to consider the creation of an Ayrshire Regional Partnership for Inclusive Growth.
- 1.2 This report confirms that over the summer developments have taken place to shape that Partnership, and at this stage it is not considered that staff resources will be transferred to facilitate the work.
- 1.3 The new proposals will focus on the development of an Ayrshire Economic Growth Strategy to support and direct the emerging Ayrshire Growth Deal.

2. Background

- 2.1 Council agreed to establish a Regional Pathfinder for Inclusive Economic Growth at its meeting on 27th June 2018. This was to include an Ayrshire Delivery Vehicle between East, North and South Ayrshire Councils and other stakeholders from 1st April 2019. The Chief Executive was remitted to finalise new management arrangements and report these to Cabinet in due course.
- 2.2 It was further agreed that North Ayrshire would be the host authority with employees transferring from each of East Ayrshire and South Ayrshire Councils where agreed by their respective authorities.

- 2.3 Council noted that the content of the corresponding report being submitted to South Ayrshire Council did not commit to the same degree of integrated service delivery.
- 2.4 Over the summer the three Council Chief Executives have been negotiating the shape of our Partnership agreements to ensure we are in a positive position to support and drive forward the Ayrshire Growth Deal.
- 2.5 The critical first step will be to develop a single economic development strategy for Ayrshire which will inform regional priorities to support inclusive growth of our economy. The three Councils will work collaboratively, and with wider stakeholders, to develop a clear vision for the area.
- 2.6 The Partnership will provide a strong and unified voice for Ayrshire ensuring that it is heard in national debates, making the case for investment and influencing national, regional and local priorities and decision making. It will also ensure a single point of influence for business.
- 2.7 At this stage, it is not anticipated that there will be a requirement for staff resource transfers, but rather, that collaboration will take place to develop the Ayrshire Regional Strategy which will in turn guide and ensure delivery of the Ayrshire Growth Deal.
- 2.8 Arrangements to create a new Joint Committee to support and oversee the Ayrshire Growth Deal and development of the Strategy are underway and will form the basis of a further report.
- 2.9 These arrangements were confirmed with the new Minister for Infrastructure, Transport and Connectivity, Michael Matheson MSP, when the three Council Leaders met with him on the 28th August 2018.

3. Proposals

3.1 Council is recommended to note:

- i) the updated arrangements to take this work forward;
- ii) that further updates will be presented to Cabinet, and;
- iii) a further report on the Governance arrangements will be submitted.

4. Implications

Financial:	The Regional Pathfinder was set to deliver £80,000 of savings within the current financial year and a further £748,000 of savings in the next financial year. Alternative savings proposals will now have to be considered.
Human Resources:	There are no human resource implications arising from this report.

Legal:	Governance arrangements are being reviewed to allow for the three Councils, stakeholders and the private sector to work together to shape and oversee the new Ayrshire Economic Growth Strategy and Ayrshire Growth Deal.
Equality: Children and Young People:	There are no equality implications arising from this report.
Environmental & Sustainability:	There are no environmental or sustainability implications arising from this report.
Key Priorities:	<p>The report supports corporate and economic strategies of the Council, specifically:</p> <ul style="list-style-type: none"> • Growing our Economy, increasing employment and regenerating our towns; • Working together to develop stronger communities; and • Ensuring people have the right skills for learning, life and work.
Community Benefits:	There are no Community Benefits arising from this report.

5. Consultation

- 5.1 Extensive consultation has taken place with the three Councils to negotiate the new shape of the Ayrshire Regional Partnership.



Elma Murray OBE
Chief Executive

For further information please contact Elma Murray OBE, Chief Executive on 01294 324197.

Background Papers

- Report to North Ayrshire Council on the creation of an Ayrshire Regional Partnership for Inclusive Growth (27 June 2018).

NORTH AYRSHIRE COUNCIL

19 September 2018

North Ayrshire Council

Title:	School Road, Kilbirnie – Compulsory Purchase
Purpose:	To approve the compulsory purchase of land required to provide access/egress to/from the former site of the Garnock Academy, School Road, Kilbirnie.
Recommendation:	That the Council resolves to make a Compulsory Purchase Order to be called “The North Ayrshire Council (School Road, Kilbirnie) Compulsory Purchase Order 2018” as detailed in the proposals section of this Report

1. Executive Summary

- 1.1 Following the demolition of the former Garnock Academy it has been established that the Council does not have legal title to part of the site. The ground in question has been occupied by the Council and its predecessors since the 1850s. As no owner can be identified, a Compulsory Purchase Order is required to give the Council a title to the land.

2. Background

- 2.1 Following the demolition of the former Garnock Academy, a detailed title investigation was undertaken of the site and it was established that NAC do not own the exit adjacent to Ladyland House, School Road, Kilbirnie. The area is shown on the attached plan.
- 2.2 The ground formed part of the former Ladyland School, Kilbirnie (and adjacent School House) which were in existence on the oldest Ordnance Survey map from 1856 and it is likely that it operated as a school from around this time until replaced with Moorpark Primary School in the 1970s.
- 2.3 Ayr County Council acquired the adjacent ground for Garnock Academy in 1971 and thereafter the school was built and the exit to the car park was formed over the garden ground of the School House.
- 2.4 In 1986 and 1996 the remainder of the former Ladyland School and School House was sold by Strathclyde Regional Council (Ladyland House, 2/4 School Road) and NAC (Ladyland Place) by way of a *non domino* deeds. This type of deed is used by sellers who have possession of ground but who do not have a title. The defect in title is ‘cured’ after a further 10 years occupation by the purchaser. Comprehensive searches would have been carried out prior to both disposals.

- 2.5 In August 2018 professional searchers were appointed to search the Registers of Scotland with a view to establishing a title to the ground. Their report agrees that the ground in question must have been part of the former Ladyland School and School House but they confirm that they have been unable to locate a title and conclude that it is possible the title to the School and School House has never been recorded. No owner can be identified.
- 2.6 Acquiring title to this ground by means of Compulsory Purchase Order would ensure that NAC own all of the ground within the former Garnock Academy school site which is currently occupied by them and would ensure that there is no gap between the ground owned and the adopted road. Purification of this title problem will be required to facilitate any future development on the site. This would ensure that the title is good and marketable if the site is sold or if retained. It avoids the creation of any 'ransom strip' to impede any future development by the Council.

Compulsory Purchase Order

- 2.7 The Compulsory Purchase Order will require to be advertised and a site notice will be erected on the ground to advertise the Council's proposals. Thereafter there is a period for objection and any objections which cannot be resolved will in due course be determined at a public inquiry before a Reporter appointed by the Scottish Ministers. If the Order is confirmed there requires to be a further advert period prior to title being completed.
- 2.8 Disputes in relation to compensation can also be referred to the Lands Tribunal for Scotland. The estimated timescale for an opposed Compulsory Purchase Order is in the region of 18 months or more and officers therefore propose that the Council commence the compulsory purchase procedures as soon as possible.
- 2.9 The rights of the owners of land or property under the Human Rights Act 1998 must be considered before deciding to make a Compulsory Purchase Order. In this case, no owners have been identified and the Council has occupied the ground without challenge since the 1850s'. Accordingly it is considered there is a compelling case in the public interest for acquisition of the ground to facilitate the development of the adjacent Council owned ground, and a compulsory purchase order would strike an appropriate balance between public and private interest.
- 2.10 If the Order is promoted in terms of the legislation the Owners and any other person having an interest in the land have a right to object to the proposed Order at a fair, independent and public hearing and are also entitled to statutory compensation in respect of their interest in the land. In the absence of any identifiable owner who can agree the purchase, compulsory purchase is considered to be both necessary and proportionate in the circumstances.

3. Proposals

3.1 The Proposal is that the Council make the following resolution:

"That The North Ayrshire Council resolves in exercise of the powers conferred by Section 189 of the Town & Country Planning (Scotland) Act 1997 and in accordance with the provisions of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 to make a Compulsory Purchase Order to be called " The North Ayrshire Council (School Road, Kilbirnie) Compulsory Purchase Order 2018" to purchase compulsorily ALL and WHOLE the area of ground extending to 504.3 square metres or thereby at School Road, Kilbirnie being ground which is required to provide a suitable access/egress to the site of the former Garnock Academy, authorise and instruct the Senior Manager, Legal Services to sign the Order and Plan on behalf of the Council; affix thereto the Common Seal of the Council, submit the Order and Plan to the Scottish Ministers for confirmation; give the appropriate notice to the owners and occupiers of the subjects; insert the appropriate notice in the local press and certify to the Scottish Ministers that the subjects (a) do not belong to the local authority; (b) have not been acquired by statutory undertakers for the purposes of the undertaking; (c) do not form part of a common or open space (d) are not held inalienably by the National Trust for Scotland; and (e) are not listed as being of special historical or architectural interest under Section 1 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, and take all steps necessary to complete the compulsory purchase procedures".

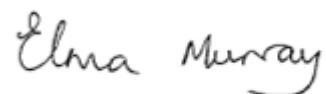
4. Implications

Financial:	The cost of compensating any land owner, should one emerge, will be met from existing budgets. Council representation at any public inquiry would be dealt with by the Council's in-house Legal Services, with no additional cost to the Council.
Human Resources:	There are no human resource implications arising from this report.

Legal:	A compulsory purchase order is the only way to complete title to land where the identity of the owner is unknown, where the Owner is not willing to agree a voluntary transfer, or where the Owner seeks a payment significantly in excess of the value determined by the District Valuer. The process can take some time to complete, but commencing the procedure does not preclude negotiations with the owner, should one be subsequently identified.
Equality: Children and Young People:	There are no equality implications arising from this report.
Environmental & Sustainability:	There are no environmental or sustainability implications arising directly as a result of this report.
Key Priorities:	A valid and marketable title will be required for any redevelopment of the site, either by the Council or otherwise. Accordingly this supports the Council Priority of Growing our Economy, Increasing Employment and Regenerating Towns.
Community Benefits:	There is no potential to include a community benefit clause within this process

5. Consultation

5.1 Consultation has taken place with officers in the Place Directorate.



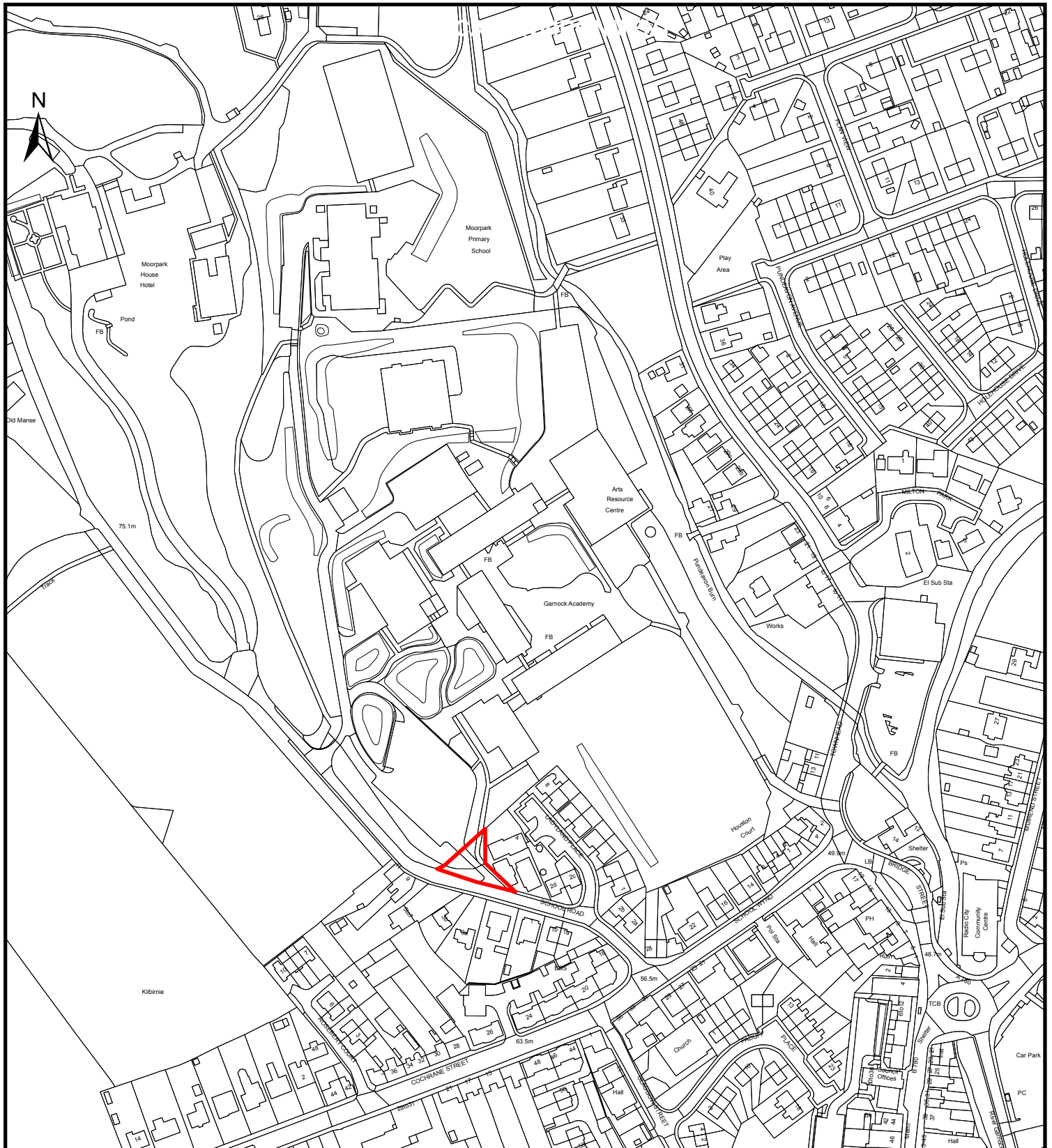
Elma Murray OBE
Chief Executive

For further information please contact **Andrew Fraser, Head of Democratic Services** on **01294 324197**.

Background Papers
Plan



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath



School Road Site, Kilbirnie (504.3 sq.m. or thereby)

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**ESTATES SECTION
PHYSICAL ENVIRONMENT
NORTH AYRSHIRE COUNCIL, CUNNINGHAME HOUSE, IRVINE KA12 8EE
TEL: (01294) 324888**

NORTH AYRSHIRE COUNCIL

19 September 2018

Council

Title: **Short Life Working Group on Questions and Motions**

Purpose: To report the findings of a short-life working group of Elected Members on Questions and Motions to Council, and to invite the Council to consider its recommendations.

Recommendation: That the Council agrees to consider the recommendations of the working group set out at Section 3 and, in terms of Standing Order 22.1(b), approve the proposed changes to the Standing Orders Relating to Meetings and Proceedings of the Council and Committees.

1. Executive Summary

- 1.1 Concern was expressed by Elected Members at the last Council meeting on 27 June 2018 about the inclusion of 'congratulatory' motions on Council Agendas, as well as questions characterised as 'vainglorious'.
- 1.2 A politically representative short-life working group of Elected Members met twice in August 2018 to consider the above and prepare recommendations for the Council's consideration. The detailed recommendations are set out at Section 3 below and include a number of proposed changes to the Standing Orders Relating to Meetings and Proceedings of the Council and Committees.

2. Background

- 2.1 The undernoted Minute extract from the Council meeting of 27 June 2018 reflects the outcome of discussion by Members on the types of questions and motions submitted to recent meetings:-

"Referring to the inclusion of congratulatory motions as part of Council Agendas, the Leader of the Council expressed the view that a more appropriate mechanism be found to bring such matters to public attention. The Chief Executive undertook to put in place suitable arrangements for presenting alternatives for the Council's consideration.

Councillor Gurney requested that such consideration be extended to examining the appropriateness of including vainglorious questions on Agendas. The Chief Executive undertook so to do." ['Vainglorious' questions being questions by a Member of one political group to another Member of the same group].

2.2 Following the Council meeting, the Chief Executive proposed that the matter be progressed via the formation of a short life Member working group, supported by the Head of Democratic Services, the Senior Manager (Legal Services) and the Committee Services Officer Team Leader. Membership of the group reflected the political make-up of the Council, with three Labour Group representatives (Councillors Robert Foster, John Sweeney and Donald Reid), three SNP Group representatives (Councillors Marie Burns, Anthea Dickson and Tony Gurney), two Conservative and Unionist Group representatives (Councillors Billings and Marshall) and one Independent Member (Councillor Murdoch). An initial meeting of the working group took place on 13 August 2018, with a follow-up meeting held on 27 August 2018 to conclude its findings and recommendations to Council.

2.3 Notes of the meetings held on 13 and 27 August 2018 are available as background papers.

3. Proposals

3.1 The Council is invited to consider the following recommendations of the working group and, in terms of Standing Order 22.1(b), approve the proposed changes to the Standing Orders Relating to Meetings and Proceedings of the Council and Committees:-

Congratulatory Questions and Motions

3.2 Amend Standing Order 9.1 to insert a new provision xi at 9.1 (Order of Business):-

“Requests to recognise the work of individuals or groups within North Ayrshire”

3.3 Amend Standing Order 12 to include as a new 12.6 the following wording:-

“It shall not be competent to ask a question which seeks to congratulate, commend or recognise any individual or group in relation to their achievements or activities in North Ayrshire”, with the remaining sub-paragraphs renumbered accordingly

3.4 Amend Standing Order 13 to include as a new 13.3 the following wording:-

“Any motion or request signed by at least two Members which seeks to congratulate, commend or recognise any individual group in relation to their achievement or activities within North Ayrshire shall be included in the agenda item detailed in Standing Order 9.1 (xi). That item will simply detail the name of the person or group to be recognised and the reason for the recognition. Any motion or amendment shall be relevant to the individuals or bodies listed in that agenda item. There shall be no debate or questions on any motion or amendment. After hearing from the mover of the motion and the amendment, the matter shall proceed to the vote”, with the remaining sub-paragraphs renumbered accordingly.

Potential Measures to Streamline Consideration of Questions

3.5 Note that as long as the Member asking the question confirms at Council that it is still being asked, there is no obligation either to read out the question or response at Council, or to ask a supplementary question. The question and response could simply be ‘taken as read’.

Procedure Before Debate

- 3.6 Note the existing provisions of Standing Order 12.6 and recommend its enforcement to ensure that questions do not constitute debate:-

“Except when in debate any Member may ask a question at any meeting of the Council concerning any item of business arising upon the agenda. Such questions must be relevant to the item of business under consideration and must be directed to any senior officer seeking clarification of the terms of a report or to the mover or seconder of any motion or amendment seeking clarity of their motion or amendment.”

Supplementary Questions

- 3.7 Note the existing provisions of Standing Order 12.2 and recommend its enforcement to ensure supplementary questions are permitted only where they take the form of a question and relate to the response to original question:-

“...The Provost may at his or her discretion allow a supplementary question arising out of the answer given to the original question.”

Voting

- 3.8 Note that, prior to the debate stage, it is open to the mover and seconder of a motion to adopt all or parts of amendments with a view to achieving consensus. Once in debate, such changes require the consent of the Council. Amendments must be relevant to the motion and are not an opportunity to transform a motion into something entirely different from its original form.

- 3.9 Amend Standing Order 17 to include as a new 17.2 the following wording, with the remaining paragraphs of 17 renumbered accordingly:-

“When a motion and two or more amendments to it are before the meeting and any one of the proposals, in the opinion of the Provost, implies negation, the vote shall be taken on the proposal involving negation, so soon as the discussion is completed and before the vote, if any, on the remaining proposals is taken. The proposal involving negation shall be put to the meeting in the form of "proceed" or "not proceed". If "not proceed" is carried by a majority of votes, the remaining proposals shall drop, but if "proceed" is carried a vote shall be taken between the remaining proposals as hereinafter provided.”

- 3.10 The Working Group considered the alternative voting procedure adopted at the recent Local Development Plan Committee. In that case, each individual amendment to the LDP was taken in turn. In other words, a motion to change Policy RE53 was debated, voted on and determined. Thereafter, a motion to change Policy RES4 was determined and so on. This differs from the current process where ‘the winner takes all’. It was appreciated that, for most agenda items, this could add more complexity and time, but there may be circumstances where this would apply, budgets being an example. It would be helpful to amend Standing Orders to allow such a procedure to be used where appropriate.

- 3.11 Amend Standing Orders to provide a new Standing Order prior to the heading “Casting Vote”, to read:-

“Where there is more than one amendment, and two thirds of the members of Council present and voting so decide, Council may adopt the following alternative procedure to that detailed in 17.3 hereof:- if there are more amendments than one, the amendments will each be the subject of a separate debate, vote and determination, starting with the first amendment. If the first amendment is agreed, the substantive motion will be altered to give effect to the wording of that amendment, before debate, vote and determination of the second amendment and so on. Once the debate on the first amendment commences, no new motion or amendment shall be lodged, except in the circumstances set out in 15.3. Except as required to give effect to this paragraph, all remaining provisions of Standing Orders shall remain in full force and effect.”

- 3.12 Agree that a Member seminar be arranged to ensure that all Members are familiar with the voting procedures.
- 3.13 Note that Group Leaders may take the opportunity at the Council Pre-Meetings to discuss and seek agreement on particular instances where it might be appropriate to exercise the alternative voting arrangements set out in the proposed new Standing Order referred to at 3.10 above.

Recipients of Questions

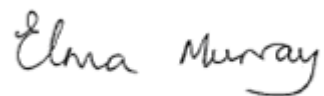
- 3.14 Note that the working group could not achieve consensus on whether questions directed at the Leader of the Opposition should be permitted. (Some Members considered that the focus of questions at Council should be on challenging the Administration and that questions directed at the Opposition, particularly those relating to matters of national policy in which the Council had no locus, did not serve the interests of the Council. Other Members were of the view that the current provision allowed an appropriate opportunity, particularly for ‘backbench’ Elected Members, to exercise their rights to question and challenge in the public setting of a Council meeting). If the provision allowing questions to the Leader of the Opposition was deleted, it should be noted that questions to the current Leader of the Opposition would still be competent in relation to her role as Chair of Audit and Scrutiny Committee.
- 3.15 In view of the failure of the working group to achieve consensus on this matter, invite the Council itself to consider whether there should be any change to Standing Order 12.3 to remove the Leader of the Opposition from the categories of Members to whom questions may be addressed. The current provision allows questions to the Leader of the Council, any Cabinet Member, the Chair of any Committee, the Leader of the Opposition or Council representatives on Outside Bodies, such questions relating to the functions of such office holder or member.
- 3.16 In relation to the issue of ‘vainglorious questions’ by a Member to another Member in their Group, it was agreed to recommend that no change should be made to Standing Orders, on the grounds that Members are individuals and might wish to raise constituency or local issues through such questions.

4. Implications

Financial:	None arising from this report.
Human Resources:	None arising from this report.
Legal:	From a governance perspective it is important that Standing Orders are regularly reviewed and facilitate the efficient and fair progress of meetings. Questions and Motions form an important part of this governance structure as they are the means by which Members can get an item onto the Council agenda.
Equality:	None arising from this report.
Children and Young People:	None arising from this report.
Environmental & Sustainability:	None arising from this report.
Key Priorities:	Not applicable.
Community Benefits:	Not applicable

5. Consultation

5.1 No additional consultation required.



Elma Murray OBE
Chief Executive

For further information please contact Melanie Anderson, Committee Services Team Leader on telephone number 01294 3214131.

Background Papers

Note of Meeting of Working Group – 13 and 27 August 2018

