

North Ayrshire Council
20 December 2017

May 2017 - April 2022

IRVINE, 20 December 2017 - At a Meeting of North Ayrshire Council at 2.00 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, Shaun Macaulay, Tom Marshall, Jean McClung, Ellen McMaster, Ronnie McNicol, Louise McPhater, Davina McTiernan, Jimmy Miller, Jim Montgomerie, 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); J. Butcher, Executive Director (Education and Youth Employment); T. Bowers, Head of Service (Mental Health) (Health and Social Care Partnership); and A. Fraser, Head of Democratic Support, A. Craig, Senior Manager (Legal Services), M. Gilmour, Senior Communications Officer (Media and Internal Communications); D. McCaw, Committee Services Officer, E. Gray, Committee Services Support Officer and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Chair

Provost Clarkson in the Chair.

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. No apologies were recorded.

3. Declarations of Interest

There were no declarations of interest by Members at this point.

In terms of Standing Order 10 and Section 5 of the Code of Conduct, the following Members declared an interest during consideration of Agenda Item 10 (Festivals and Events):-

- Councillor Gallagher (as Chair of Largs Viking Festival)
- the Provost and Councillor Gallacher (as members of the Irvine Carters Society)
- Councillor Murdoch (as a member of Largs Events and Largs Matters)
- Councillor Sweeney (as a member of Stevenston Lights Committee)
- Councillor Hill (as a member of Largs Events and a number of community groups)

Councillors Gallacher, Gallagher, Murdoch and Sweeney left the meeting during determination of this item, rejoining the meeting following the decision.

The Provost, considering that the nature of his interest was remote, did not vacate the Chair or leave the meeting during determination of the matter.

Councillor Hill, considering that the nature of his interest was remote, did not leave the meeting during determination of the matter, but took no part in the decision.

There were no declarations of the Party Whip.

4. Previous Minutes

The accuracy of the Minutes of the Meeting of the Council held on 4 October 2017, was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

Councillor McNicol's dissent was recorded in terms of accuracy of the Minute, in that Item 8(e) (Motions) did not include a reference to questions he had asked on the subject of amendment/renegotiation of the contract, the provisions contained within Clause 86.1 of the PPP contract, and an earlier procurement question.

5. Provost's Report

Submitted report by the Provost for the period from 5 October 2017 to 13 December 2017.

The Provost commenced his report with valedictory remarks on former Provost Bobby Rae following his recent passing.

The Provost then highlighted a number of elements of his written report, including:-

- attendance at a variety of events, such as the Diaspora Tapestry Exhibition, the Cream of Ayrshire awards, the Police Scotland Recognition awards, the Solo Piping competition, the North Ayrshire Community Sports Awards, North Ayrshire Achieves, an Ayrshire Hospice reception, the Civic Pride awards, and “Go Purple Day”;
- the opening of Greenwood Academy’s new cycle repair and furniture upcycling projects, and Auchenhavrie Academy’s new Nail Bar;
- the ‘Kirkin’ of the incorporated Trades Deacon Convener, and the resultant ‘Wee Pies’ and the ‘Big Pie’;
- Remembrance Day Services in Irvine;
- a sum of £54,646 raised at the Cash for Kids at their Christmas Fundraising day at Ayr Racecourse;
- attendance, with the Depute Provost, at the Showmen’s Guild Annual Dinner and the Kilwinning College Graduation Awards Ceremony;
- a visit to the US, Chinese and French Consuls in Edinburgh and attendance at a reception hosted by the Japanese Consulate;
- the Funeral of Lady Jean Fforde;
- visits to Montrose House Care Home and Resource Centre and Arran Outdoor Education Centre, as well as a celebratory event in Brodick Hall for those involved in the successful campaign to retain the ferry from Brodick to Ardrossan; and
- Gillian’s Saltire Appeal in Largs, The Storybird Project in Saltcoats, the Boccia Open in Inverclyde Sports Centre, Kilwinning Archer’s Lost Medal, the Black History Month Presentation by Doctor Graham, a One World Week event in St John’s Church in Stevenston, the reopening of the Robert Service Sheltered Housing, the Marymass Poster Competition in Elderbank Primary School and the Largs Academy Legacy Evening.

The Provost concluded his report by extending his best wishes for the festive period.

6. Leader's Report

The Leader of the Council reported for the period from 5 October 2017 to 13 December 2017.

The Leader highlighted a number of elements of his written report, including:-

- Events in connection with Challenge Poverty Week, including the launch of the new “Better off North Ayrshire” service and the official opening of the Fullarton Employability Hub;
- Living Wage Week, which included an announcement that the Council would begin to pay the new rate of £8.75 per hour to its staff four months ahead of schedule;
- the launch of the Mental Health toolkit at Ardeer Community Centre;
- the opening the newly refurbished Robert Service Court Sheltered Housing Unit in Kilwinning;
- a meeting with newly appointed school counsellors; and

- the launch of North Ayrshire's "Year of Young People" (YOYP) in Cunninghame House on 8 December 2017.

The Leader concluded his report with his best wishes for the festive period.

7. North Ayrshire 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 23 June to 6 December 2017.

Noted.

8. North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held on 21 September 2017

Submitted report by the Chief Executive on the Minutes of the meeting of the North Ayrshire Community Planning Partnership (CPP) Board held on 30 November 2017.

Noted.

9. Audit Scotland Report: Local Government in Scotland Financial Overview 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of the recent Audit Scotland report. Appendix 1 to the report highlighted the key messages identified within the Audit Scotland report and the current position of North Ayrshire Council in relation to these. The actions emerging from the 2016/17 Audit were set out at Appendix 2.

Members asked a question, and received further information, in relation to recent press reporting of the Council's use of unearmarked reserves.

The Council agreed to (a) note the findings of the recent Audit Scotland report and the current position in North Ayrshire; and (b) consider these as part of its forthcoming budget deliberations.

10. Housing Revenue Account (HRA) Capital Investment Programme, Revenue Budget and Rent Levels for 2018/19

Submitted report by the Executive Director (Finance and Corporate Support) on the HRA capital investment programme and revenue budget for 2018/19 and the consequential rent levels. Appendices 1 and 2, respectively, set out full details of the capital and revenue budgets. Appendix 3 to the report provided information on the options considered, as contained in the Rent Matters Newsletter.

The Council agreed to (a) approve the HRA capital investment programme for 2018/19, as detailed in Appendix 1 to the report; (b) approve the HRA revenue budget for 2018/19, as detailed in Appendix 2 to the report; (c) approve a rent increase of 2.79% in 2018/19 for council houses (including sheltered housing); (d) approve an increase of 2.79% for garage sites and lock-ups; (e) approve an increase of 7% in sheltered housing service charges, as part of equalisation of the cost of service charges, for existing tenants; and f) note the indicative rent increases of 2.93% for 2019/20 and 3.65% for 2020/21.

11. Festivals and Events

Submitted report by the Chief Executive on the proposed creation of a fund to support community-run festivals and events in North Ayrshire.

Members asked questions, and received further information, in relation to:-

- the non-recurring nature of the proposed funding;
- the extent to which funding would disproportionately benefit projects in Largs and Irvine;
- whether the proposed fund would be in a position to underwrite new events;
- the number of gala days and events across North Ayrshire which might potentially apply to the proposed fund;
- access to the fund for applications from across North Ayrshire;
- the funding criteria and conditions which might be applied as part of the application process;

The Chief Executive undertook to provide a report to Cabinet on the process for awarding funding, including whether it would be appropriate for the new fund to be used to underwrite projects.

Councillor Cullinane, seconded by Councillor Bell, moved that the Council agree to approve the recommendations set out in the report. As an amendment, Councillor McNicol, seconded by Councillor Barr, moved that the Council agree not to establish the proposed fund.

Members then debated the matter and the movers of the amendment and the motion summed up.

On a division, there voted for the amendment 3 and for the motion 23 and the motion was declared carried. Accordingly, the Council agreed to (a) approve the creation of a non-recurring fund for community run festivals and events of £150,000; and (b) review the operation of the fund after the first year.

12. Questions

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

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

"Since 2010, £73m of cuts have been made to North Ayrshire Council's budget. Given the accumulative impact of those cuts on services and jobs, the fact that due inflation and increasing demand for services Council officers have projected that we would need an additional £14m+ in funding in 2018/19 just to stand still and that for every percentage increase in Council Tax less than £600,000 is raised; does the Member think that North Ayrshire Council has received sufficient funding and revenue increasing powers from central government to deliver the services that our communities need?"

Councillor Burns responded in the following terms:-

"Provost, I had intended to raise a point of order on the first three questions on the agenda however I will deal with my concerns as part of my response.

There are a lot of things that astound me about this question – but there are three in particular that I'd like to highlight.

Firstly, it's been standard practice in this council for the opposition to question the party in administration and not the other way around. It would seem that Councillor Foster hasn't quite come to terms with the responsibility of being in power and the pressures that come with it. Either that, or I have to assume that asking the same question of three different people is a pretty blatant exercise in party political point scoring designed to allow Labour yet again to indulge themselves in attacking the SNP when they should be bringing parties together to address the challenges this council faces.

Nonetheless, I will take this opportunity to respond to the substance of the question. Because the second thing that astounds me about this question is the uncanny capacity of North Ayrshire Labour to speak, as they do regularly, about budget cuts and limitations on powers without making any reference to the fact that Scotland's budget has been continually cut by the Tories at Westminster.

Over the 10 years to 2019-20, Tory austerity will mean that the Scottish Government's fiscal block grant allocation will have been reduced in real terms by £2.6 billion. Next year alone, Scotland is facing cuts to our revenue block grant of over £200m.

Now it's understandable why the Tories don't like to admit this, but it's very strange that North Ayrshire Labour can't bring themselves to do so. Especially when their Holyrood colleagues have no trouble in doing so.

To quote shadow Cabinet Member, Jackie Baillie, speaking in last week's finance debate: "Now here is the thing: the hand dealt to Scotland by the UK budget is not as good as the Tories would have us believe. The Scottish budget faces a real-terms cut of almost £200 million."

So, Scotland's budget is clearly being cut by the Tories, and that's before we even get to the wider Westminster imposed austerity and the Westminster imposed threat of a hard Brexit.

Westminster imposed austerity that is causing increased child poverty, increased homelessness, increased foodbanks, and increased desperation and despair.

And a Westminster imposed hard Brexit that could cost Scotland up to £30 billion – and which would see North Ayrshire lose £500 million in the value of its goods and services.

Now I say Westminster imposed, as opposed to Tory imposed, quite consciously here. Because the uncomfortable reality for North Ayrshire Labour is that their party voted for these things along with the Tories.

This brings me to the third thing that astounds me about this question – which is the brass neck of North Ayrshire Labour to masquerade as champions of social justice and concerned campaigners for local authority services when their own Labour Party has racked up an utterly indefensible record over recent months and years.

To cite just a few choice examples:

In July 2015, Labour MPs voted with the Tories to brutally cut welfare, including introducing the now notorious two child cap and rape clause. Back in February of this year, Labour voted with the Tories to trigger article 50. And just last month, Labour whipped its MPs to vote with the Tories and the DUP against an amendment that would keep the UK in the customs union – avoiding a hard Brexit.

That's the Labour party in opposition at Westminster.

Let's have a look at what they have done where they are in power in Wales:

Under Labour in Wales, the bedroom tax has not been fully mitigated.

Under Labour in Wales, students are faced with university tuition fees of £9k a year.

Under Labour in Wales, free school meals are means tested and there is no free universal elderly care.

I could go on, but the point is clear.

In opposition at Westminster, Labour vote with the Tories to impose brutal austerity on Scotland. In power in Wales, they impose that austerity on the people of Wales. And in power in North Ayrshire, they act like they are in opposition – and not even a very effective

one - criticising the SNP for Tory cuts and turning a blind eye to their own party's staggering hypocrisy.

To summarise:

I am astounded that the party running this council chooses to devote valuable time to questioning the opposition instead of getting on with the day job of delivering services it's responsible for.

I am astounded that North Ayrshire Labour refuses to recognise the challenging economic context in which the Scottish Government is operating - between Tory cuts and Westminster imposed austerity and Brexit.

And I am astounded at the hypocrisy of the Labour party - which votes for Tory austerity and a Tory hard Brexit whilst lamenting the consequences for our economy and society.

Let's be quite clear: Labour should be joining with the SNP in condemning Tory austerity and cuts to Scotland's budget. Instead, they line up to vote with the Tories at Westminster, do nothing to oppose Tory austerity in Wales - and are more interested in attacking the SNP than the Tories in Scotland - as is clear in this question.

Having set out my astonishment at the question posed to me by North Ayrshire Labour - I will now answer it.

In a very challenging economic context, the SNP Scottish Government has delivered a balanced and progressive budget - with tax cuts for those earning least and modest tax increases on those earning most.

It lifts the public sector pay gap, invests an additional £400 million in the NHS, expands childcare, provides extra funding for our police and fire services - and much more besides.

With regard to local authority funding in particular, as the Cabinet Secretary for Finance made clear when delivering the budget, despite projections of a 3 per cent reduction, this has been avoided.

Instead, the local government resource budget will be protected in cash terms and the capital budget will be increased in real terms, which will result in a total increase in local authority core funding of £94 million.

And of course if councils use their powers to increase council tax, as this one has, it amounts to a real terms increase for front-line services.

If the Member is unhappy with this answer - and the blatant political posturing of the question would suggest that he is - then may I leave him and his colleagues to reflect on the following questions?

1. Does the Member think that the Scottish Government has sufficient funding and revenue increasing powers from the UK Tory Government to deliver the services that our communities need?
2. Does the Member support his party's decision to aid and abet Tory austerity?
3. Does the Member agree with his party's support of a hard Brexit?
4. Is the Member proud of the Labour party's record in Wales?
5. Does the Member's party have alternative, costed, balanced proposals for a Scottish budget?
6. And lastly, does the Member prefer Scotland being ruled by the Tories from London instead of governing its own affairs and fully controlling its own budget with the full range of economic and revenue raising powers at its disposal?"

As a supplementary question, Councillor Foster asked whether Councillor Burns believed that the Council's funding settlement would have a positive or negative impact on poverty, health inequalities and the attainment gap in North Ayrshire.

Councillor Burns responded by expressing the view that no public service in Scotland had received the funding it deserved since the introduction of austerity in 2010 to meet the challenges they faced. She indicated that the Council faced a shortfall of £14m, half of which was in the Cabinet Member's portfolio and, had the Cabinet Member spent more time on his day job, the Council would not be in this position.

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

"Since 2010, £73m of cuts have been made to North Ayrshire Council's budget. Given the accumulative impact of those cuts on services and jobs, the fact that due inflation and increasing demand for services Council officers have projected that we would need an additional £14m+ in funding in 2018/19 just to stand still and that for every percentage increase in Council Tax less than £600,000 is raised; does the Member think that North Ayrshire Council has received sufficient funding and revenue increasing powers from central government to improve planning services?"

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

"The answer to the question is yes.

Performance - whether improvement or failure in any Public or Private Business or Service is not necessarily a function of the amount of investment or expenditure in the Business or Service.

A prime example is the present SNP Government whose increase in expenditure is often inversely proportional to the performance.

The opposite is the case with North Ayrshire Council Planning Service where a reduction in resources over the last few years has not diminished performance.

For example in the past 2 years, the Planning Service won awards from the Scottish Government for the Scottish Awards for Quality in Planning in the Place Category for their work in 2016 for 'Saltcoats Town Hall' and the 'New House of Meikle Auchengree', and in 2017 for the Plans Category for the North Ayrshire Town Centre Audits.

In 2017, the Planning Service won the Royal Town Planning Institute award for Excellence in Planning for the Built Heritage for 'Saltcoats Town Hall'.

Finally in terms of performance, for the same period, the Planning Service has been the top performing authority in Scotland for all Local and Householder Planning applications."

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

"Since 2010, £73m of cuts have been made to North Ayrshire Council's budget. Given the accumulative impact of those cuts on services and jobs, the fact that due inflation and increasing demand for services Council officers have projected that we would need an additional £14m+ in funding in 2018/19 just to stand still and that for every percentage increase in Council Tax less than £600,000 is raised; does the Member think that North Ayrshire Council has received sufficient funding and revenue increasing powers from central government to deliver the services that our communities need?"

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

"I suppose where I would start is by actually pointing out that I think the question covers both the UK and Scottish Government by declaring central government and although we have already had a rant about what the budget settlement has been to Scotland's budget, I would actually point out that as an Administration and as a group we slammed the UK Government's budget because it didn't go nearly far enough given the current condition of our public services and the state that they are in and we have consistently made that point here in North Ayrshire.

Where that breaks down is that the Scottish budget, according to official statistics, has been cut by about 5 percent in real terms but the Scottish Government in Edinburgh have decided to cut local government council budgets by 8 percent over the same period and that's a political choice, that's not something that is imposed by anybody else, that is a clear political choice from Ministers in Edinburgh.

I think the budget that we got last Thursday, although not as bad as what we had probably anticipated, still leaves a massive £17m budget gap in North Ayrshire and quite frankly I don't think that that is sufficient funding to deliver services to the people of North Ayrshire.

I do have reservations about where we are going in terms of the Scottish Government insisting on Councils whether you decide to increase council tax or not, like we did last year, to continually use council tax as a means of saying that Councils have been given powers to try and mitigate cuts. A 3 percent Council Tax increase will only raise about £1.7 m in N Ayrshire and that is a tenth of what our projected gap will be. And at the same time I think that's a difficult position for the Scottish Government to argue when they do have far more powers and flexibility to deliver a more progressive and fair settlement.

I have noted the income tax policies that were announced last Thursday – it is the first time that we have had significant divergence from the rest of the UK on income tax. And that is a welcome move; however, the tax policy that has been announced is nothing but weak and timid.

You've got a 19p rate that has been introduced which covers a 2 thousand pound bracket which means that people will be £20 a year, not £20 a week or a month, but £20 a year better off; you've got a loophole in the middle of the Tax policy which means that people earning between £43k and £55k, or something like that, are actually going to be paying less tax. We've got a top rate of tax which is only 46% which is really quite astounding given that over a number of years we've had 50p rates of tax in SNP manifestos and we have an income tax policy which generates a totality of £160m which is then offset by another £100 m tax cut for business.

So we've raised an additional £60m for public services in Scotland. And whilst we've got that £17m budget gap and while our budget has been cut in real terms and that's been confirmed by the Scottish Parliament's Information centre, there is no additional funding for pay settlements for local government workers. So we have this big grand announcement that the public sector pay cap has ended in Scotland but the actual policy announced only covers a fraction of public sector workers in Scotland; it only covers those workers directly employed by the Scottish Government or Departmental bodies. It does not cover the NHS workers who are going to have to probably wait for some promised change in UK government pay policy for the Barnett Consequentials to come down the road and fund their pay increases.

The reality is in local government the Scottish government are expecting us to fund local government workers - our bin collectors, our librarians, our street cleaners; we are expected to fund their pay increase by laying off other members of staff. That is the reality of the funding settlement that we have got.

I think that we are in a position, where we need to, as elected members, make it really clear that the funding we have got from both the UK and the Scottish Governments is not sufficient to deliver the services that we want to deliver to the communities in North Ayrshire. And that's why I will be making that clear all the way through the budget process like we did last year until stage 3. I'll continue to make that case, I will not apologise for making that case and I hope that through that Parliamentary process MSPs from across the Chamber end up agreeing a budget which is substantially better than the draft budget that was published last Thursday. And maybe, just maybe, if we get to that point through the Parliamentary stages we will get a budget that could actually protect jobs and services in local government because at this moment in time it will not."

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

"There has been a great deal of concern expressed by parents and children in Ardrossan over the closure of the play park adjacent to Stanley Road. Indeed, among the first contacts I have with constituents involved their outrage at this park's closure. When I visited one of our local schools recently, the main question pupils wished to ask me concerned this play park's closure.

Much of the coverage of this issue over the last few months has focussed on Councillor Montgomerie's supposed opposition to this closure and his campaign to have it reinstated.

During the 2016/17 budget process, among the many matters considered, was the removal of old, dangerous or underused play parks. The budget package was agreed by the whole Labour group, including Councillor Montgomerie.

The list of recommendations was brought before the Physical Environment Panel for discussion. Councillor Montgomerie was a member of that panel, and raised no concerns about the proposals. Still less did he reject any.

Implementation of the proposals was in the hands of the Labour administration, of which Councillor Montgomerie was a member. Specific responsibility for play parks rests with the Place Directorate. You won't be surprised to hear that Councillor Montgomerie is the Cabinet member with specific responsibility for Place.

Could Councillor Montgomerie please tell me how he can now oppose something HE voted for, raised no objection to, and was specifically responsible for implementing?"

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

“The previous SNP Administration proposed the 2016/17 budget. In fact, it was moved by SNP MSP Ruth Maguire who was then the Councils Finance Spokesperson. Whilst no Member of the SNP Group complained about the cuts imposed on the Council by their own government, it is wrong to suggest that Labour did not.

It is the case that the Labour Councillors expressed deep concerns about the financial settlement and indeed the threat from the then SNP majority Government in Edinburgh that if we did not accept their “offer” then even greater cuts would be imposed on the people and communities of North Ayrshire.

As can be demonstrated from this front page of the Irvine Times, we labelled the SNP Government’s actions as nothing short of “blackmail”.

Furthermore, it is the case that local government had been anticipating a 1.5% cut in their revenue grant in 2016/17 but on 27 January the then Cabinet Secretary John Swinney wrote to Council Leaders dropping the bombshell that the cut would be 3.5%. That was three weeks before the Special Budget meeting – again the Labour Group slammed the SNP Government for undermining the democratic principle of scrutiny.

With the proposal passed Council officers undertook their duties in implementing the decision. Almost seven months later the SNP administration resigned. What the Member excludes in the question is that the finalised proposal then went to Locality Partnerships shortly after and, rather than reducing the number of playparks by 46 as the SNP budget proposed, a further 24 were retained.

The Member’s question seems to want to make a personal attack on me rather than work with the local community. The Member says she was contacted by constituents as was I. The difference seems to be that with the playpark removed, I have agreed to work with local residents to raise funds for a replacement. That’s Community Empowerment in action. Maybe the Member would like to tell us all what her plans are?”

As a supplementary question, Councillor McClung asked the Member whether he had attended the meetings referred in his answer and, if so, why he made no objection to the closures.

Councillor Montgomerie responded by expressing the view that the Member’s question had been submitted not to support the local community in Ardrossan, but rather to attack him personally. He asserted that the SNP Group had passed on its government’s cuts to communities; resigned from the Administration of the Council; tried to blame Labour for those cuts; and then attempted to take credit for Labour policies.”

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

"What is the total amount spent, by project, on Capital Projects in Irvine over the last 5 years?"

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

"In the last 5 years £74.8m has been spent on capital projects in Irvine, which amounts to 38% of the capital spend for those years. The nature of the capital investment programme is such that a longer term view is required, this confirms investment of £82.8m, an allocation of 28%, which is slightly below the population share."

As a supplementary question, Councillor Ferguson asked for the total figure, by project, for Ward 6 over the last five years.

Councillor Cullinane responded by indicating that he did not have a list of the individual projects but could provide some overview figures on spend on a Locality basis. He advised that, in the last 5 years, 22% of the capital spend had been on projects in the Garnock Valley (which contained 15% of the North Ayrshire population), compared with 28% in the North Coast (which had 18% of the population). In the last 10 years, 21% had been spent on the Garnock Valley and North Coast (with a population of 15% and 18%, respectively).

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

"Following the disappointment of the latest UK budget, can the Leader confirm what steps the Council will take to secure the UK Government's commitment to the Ayrshire Growth Deal?"

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

"Although disappointing that the AGD did not get a mention in the 2017 budget, we are encouraged by the fact that the UK government clearly wants to continue to support regional economies and growth deals and specifically mentions the desire to commit to further 'ambitious city and regional growth deals' in the Industrial Strategy White paper. Therefore, we remain optimistic, as the Ayrshire Growth Deal proposals are closely aligned to the Industrial Strategy, and all three Ayrshire Authorities are looking to continue to lobby to secure support and commitment to the Ayrshire Deal. To progress this we are:

1. seeking a meeting with the Secretary of State for Scotland to clarify the UK Government's position on the AGD and to chart a way forward to progress our proposals;

2. exploring with the UK Government the potential for Ayrshire to become the first 'Regional Industry Strategy Pilot' linked to the Industrial Strategy as part of the overall AGD;
3. identifying, linked to the themes of the Industrial Strategy and Government Departments, funding opportunities for individual projects;
4. continuing to lobby the UK Government, the Treasury in particular, and champion the AGD at Westminster to ensure commitment in the Autumn Budget 2018, or before, by
 - working with Ayrshire based members of the House of Lords
 - arranging further meetings in January with contacts to continue to push for the AGD i.e., Jake Berry, Under Secretary of State DCLG and senior Treasury officials
 - targeting Parliamentary debate opportunities throughout the year in conjunction with our Ayrshire MPs
 - building on the relationships and work already achieved with the regional MPs to keep pressure on the UK Government
 - arranging further meetings with Ruth Davidson to follow up on her public support for the AGD
 - continuing the relationship already built with staff at the Scotland Office and through them meeting with BEIS, Treasury and Special Advisors to the PM and Chancellor;
5. using local business leaders to canvas their contacts in Government - the first Business Breakfast is taking place on 11th January;
6. continuing to work with the Scottish Government to progress their components of the AGD; and
7. seeking a joint meeting between senior SG and UKG officials to clarify how we can work together to progress the AGD and deliver on its aspirations in the short term."

As a supplementary question, Councillor Burns asked whether the Leader had received an offer from the seven Conservative and Unionist Members to exert any influence on Conservative Party to look again at this.

Councillor Cullinane responded by indicating that he was not aware of having received such an offer, but would advise the Member of any developments. He also made reference to the Regional Pathfinder and a recent meeting of the Interim Board, where several Conservative and Unionist Members had agreed to lobby senior members within their own Party.

- (g) a question by Councillor Billings to the Cabinet Member for Health and Social Care in the following terms:-

"At the Cabinet meeting on 29 August 2017, and subsequently ratified at the Integration Joint Board (IJB) held on 14 September 2017, it was agreed to significantly change the way in which public advice services were provided across North Ayrshire. The decision was to promote the services provided by the Council's Money Matters service, and to put a range of other advice services out to competitive tender.

A consequence of the new proposals is that it significantly changes the manner in which North Ayrshire Council supports the North Ayrshire's Citizens Advice Service. The current funding is in the form of a block grant, in return for which Citizens Advice provides a full range of advice services to anybody who requests advice. However, the money is not ring-fenced and enables Citizens Advice to have the assurance that it has sufficient funds to satisfy its office functions. This stability enables the service to attract significant additional funds so that it can provide a wide range of advice services across North Ayrshire.

At the IJB meeting I voiced my concerns that no account had been taken that the new proposals change the way in which the Council's funding of the North Ayrshire Citizens Advice Service, and that this change has the potential to compromise the services provided by Citizens Advice. It should be remembered that Citizens Advice currently receives less than a ¼ of the funding received by Money Matters, and Citizens Advice service is available to everybody, unlike Money Matters who is only for Health and Social Care clients.

I have been contacted by one of my Arran constituents who has informed me that the Citizens Advice service on Arran is being withdrawn with immediate effect and that reductions in staffing within the advice service are planned. It would appear that advice services to the general population of North Ayrshire are already being compromised as I feared when I voiced my concerns at the IJB meeting.

The result for Arran is that there will no longer be an island-based advice service. Therefore, people who find travel to the mainland difficult will no longer have access to one-to-one advice services. I have been advised that many of the advice issues are not suitable for phone conversations.

My question is how will the Council ensure that the people of Arran continue to have access to a comprehensive one-to-one advice service, without having to travel to the mainland or rely on phone services?"

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

"The decisions taken by Cabinet in August and the Integration Board in September 2017 were designed to bolster North Ayrshire Health and Social Care Partnership's Money Matters Service to enable the team to deliver in-person tribunal representation services for anyone in North Ayrshire who requires such support.

The Money Matters Team have been temporarily providing this service since NACAS ceased provision and in 2016/17, secured positive outcomes for North Ayrshire residents worth £729,542.15, with a further £1,123,597.58 secured to date in 2017/18.

Following the decision to ensure greater transparency, clarity and probity around the specification of advice services in North Ayrshire, notice of the current arrangement with NACAS was issued on 23 October 2017 while work began on the tender process. This notice confirmed that the termination date would be 30 April 2018 and that, in line with the extant Service Level Agreement, current levels of service provision should be maintained until that time.

NACAS have advised of their intention to withdraw outreach services from by 01 January 2018, with clients being directed to the digital and telephone based services offered by NACAS. The have also confirmed that specialist debt advice will cease in January 2018 with NACAS looking to wind down the money advice caseload towards 31 March 2018.

Procurement and Legal advice has been sought on the position NACAS have adopted.

Going forward, the evaluation of the tender submissions for the future provision of advice services will consider the extent to which potential providers will offer outreach services, including to Arran.

In the meantime the Better Off North Ayrshire (BONA) Programme will continue to offer face to face services through their hub in the Michael Lynch Centre in Ardrossan, with travel expenses paid for Arran residents. The Better Off North Ayrshire website offers information, advice and support with completing benefits' applications as well as an Entitle To calculator and job search tool."

As a supplementary question, Councillor Billings referred to the modest cost of current service provision on Arran (some £25 for hall rent and telephone calls) and asked whether the Cabinet Member could ensure the same value for money in future service provision.

Councillor Foster responded by indicating that the procurement process would have regard to both value for money and quality.

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

"Are there any plans to decriminalise the parking enforcement and bring it in house to be enforced by North Ayrshire Council?"

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

“The Council's Town Centre Parking Strategy 2014 - 2020 outlines the current approach to Town Centre parking, which is to not pursue decriminalised parking enforcement. If introduced, decriminalised parking enforcement would require to be complemented by the introduction of car parking charging arrangements to assist in the management of traffic within Town Centres and to ensure any such overall approach was financially sustainable. As with all strategies the Town Centre Parking Strategy will continue to be reviewed, where required, to meet any changing circumstances”.

As a supplementary question, Councillor Murdoch asked whether any action could be taken to enforce the Traffic Order in Largs Town Centre.

Councillor Montgomerie responded by undertaking to investigate the matter and circulate a response to Members.

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

"Are there any plans to expand, enforce and control the Trading Standards initiative, ("We do not deal with uninvited traders, please leave and don't return")?"

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

“Trading Standards will continue to work with our partner organisations and communities on various projects to protect vulnerable consumers in our area. Considerable work has already been carried out in respect of bogus workers, telephone scams and mail scams. Most notably this has recently resulted in two individuals receiving substantial prison sentences for such activities on Cumbrae. The team will continue with various initiatives, particularly in and around sheltered housing, such as the roll out of call blockers for those most at risk from financial harm and the distribution of 'no cold calling' stickers to residents groups and generally, in conjunction with Police Scotland, to enforce a range of legislation in relation to rogue traders who target our residents.”

As a supplementary question, Councillor Murdoch asked whether the Council would consider a registration and licensing scheme to cover a wider range of trades than at present.

Councillor Gallagher responded by citing a potential difficulty associated with such a proposal, namely the issue of tradespeople from outwith North Ayrshire, but undertook to give the matter further consideration.

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

"On behalf of issues raised by my constituents in Whitehirst Park and also the cottages on Meadow Park Road leading to the A737 junction, could I ask the Cabinet Member for Place if there are any plans to upgrade Meadow Park Road from north of the roundabout to where it joins the A737 just north of Dalgarnen Mill?

And would there be any possibility of incorporating appropriate traffic calming measures on the road where it leads to, and passes the cottages and also improving the junction at the A737 itself?

With road safety in mind can NAC Roads add this as a priority road to ensure it is gritted in line with all other priority roads in the area, and can a decision on gritting be made swiftly to provide the greatest possible benefit for all road users during this winter?"

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

"Meadow Park Road between Dalgarnen Wynd and the A737 is minor rural road linking Whitehirst Park with the A737 Trunk Road. The road is used to provide local access to the A737. Its use has increased over the years with the development and expansion of the Whitehirst Park area. The road is primarily single track and has been improved by the introduction of additional passing places approximately 9 years ago and also some traffic calming measures at Meadow Park Cottages.

There are currently no proposals for further upgrading or improvements to the junction with the A737. In determining traffic calming requirements, the Roads Service utilise an assessment framework to investigate and prioritise the many requests which are received. This is to gain the greatest road safety benefits from the resources and budgets available to the Council. Meadow Park Road will therefore be further assessed to consider such items as traffic speed and volume data, accident statistics, the environmental character of the route and the type of properties fronting the road. This will inform whether any further traffic calming measures are considered appropriate.

The Council's Winter and Weather Emergencies plan, approved by Cabinet on 14 November 2017, sets down the prioritised framework for winter gritting.

The plan identifies 501 km of road to be gritted as Priority 1 and a further 179 km of road as Priority 2, accounting for over 66% of the overall road network. Meadow Park Road from the roundabout at Dalgarnen Wynd to the A737 has been designated as a Priority 2 gritting route and is gritted in accordance with the agreed Winter Services and Weather Emergencies Plan for 2017/18."

As a supplementary question, Councillor Davidson requested that the Cabinet Member involve him in any review of the matter and asked whether consideration could be given to further signage and speed calming measures in this area.

Councillor Montgomerie responded by undertaking to arrange for the Member, together with senior Roads officers, to join him in a site visit.

The Council then adjourned for a short comfort break at 3.45 p.m., reconvening at 4.00 p.m. with the same Members and Officers present and in attendance.

The Provost agreed, in terms of Standing Order 9.4, to vary the order of business to allow Agenda Item 12 (h) (Motion) and, thereafter, Agenda Item 11 (q) to be considered at this point.

13. Motion 12(h)

(h) a Motion by Councillor George, seconded by Councillor Marshall, in the following terms:-

"In the summer, 2017, the Scottish Government voted to incorporate the Scottish division of the British Transport Police in to Police Scotland. This is was in spite of major concerns about a decrease in effectiveness in the service and a loss of the specialist skills that British Transport Police have.

The strategic overview report on the British Transport Police in Scotland, published on 8th December 2017 by the HM Inspectorate of Constabulary, states that there are significant issues that have not yet been addressed to ensure an effective merger of the two forces, and Police Scotland Assistant Chief Constable Bernard Higgins is quoted as saying that there would be "massive transition issues".

It is clear that there are still significant questions that still need to be answered and that the merger will require significant skill to ensure that it is managed effectively. The people of North Ayrshire need assurances that the current levels of service we all enjoy are not compromised by this complex change to our police services.

Police Scotland is currently in a state of chaos, with its top leaders either suspended from duty or brand new in to post. It is clear that Police Scotland is in no fit state to be able to manage such a complex and sensitive change, and there is significant risk that the safety of the people North Ayrshire will be compromised.

I therefore move that the Council instructs the Chief Executive to write to the Cabinet Secretary for Justice to:

- a) express the concerns of the Council about the ability of Police Scotland to effectively manage the merger of Division D of the British Transport Police into Police Scotland due to the lack of effective leadership;
- b) gain assurances that there will be full evaluation of the risks of the merger as set out in the HM Inspectorate of Constabulary's report;

- c) state that it is the opinion of the Council that the merger should be put on hold until these issues have been resolved."

As an amendment, Councillor Davidson, seconded by Councillor Macaulay, moved the direct negative.

Members asked questions and debated the matter. The movers of the amendment and the motion then summed up.

Thereafter, on a division and roll call vote, there voted for the amendment Councillors Brahim, Burns, Davidson, Dickson, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McTiernan, Murdoch and Donald L. Reid, and for the motion Councillors Barr, Bell, Billings, Clarkson, Cullinane, Easdale, Ferguson, Foster, Gallacher, Gallagher, George, Glover, Marshall, McNicol, McPhater, Miller, Montgomerie, Donald Reid, Stephen and Sweeney, and the motion was declared carried.

14. Question (q)

- (q) a question by Councillor McMaster to the Cabinet Member for Health and Social Care in the following terms:-

"Reports on Arran say that the current Citizens Advice Bureau provision on the Island, consisting of four hours in temporary accommodation every week, is to be removed.

There are also reports that the withdrawal of the service is directly at the behest of North Ayrshire Council.

Would the Member tell me if these reports are accurate and, if so, the reasons for removing this essential service to our Island community at a time of unprecedented austerity and in the face of the negative impact of the roll out of Universal Credit?"

Councillor Foster thanked the Member for her question and referred to the response provided in connection with Question (g). He indicated that the Council had very little control over organisations such as NACAS and undertook to keep all Ward 5 Members advised of developments in the procurement process for the future provision of advice services.

As a supplementary question, Councillor McMaster referred to the cost of funding travel for Arran users to attend advice services on the mainland and asked if the Cabinet Member would undertake to reconsider and find a better solution.

Councillor Foster responded by reiterating his offer to keep the Member updated on the tender evaluation process.

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

"Can the Cabinet Member for Communities quantify, by community centre, the number of opening hours that have been lost to local communities as a result of recently imposed changes made to staffing levels and charges?

Can she also explain how it can be that Community Associations have been told that they may be made responsible for paying for the holiday and sick pay of council employees given that most of the associations do not employ any of the caretaking staff?

Will she agree to immediately establish a Working Group consisting of Officers, Elected Members and representatives from NAFCO to look in depth at these issues and to look at how we can continue to support and develop community centres as a central asset within each of our communities?"

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

"There has been no significant reduction in staffing levels in comparison to previous months/ years since the core hour allocation was put in place on 1st November. A report from our rota system shows that in November 2016 the scheduled worked hours were 6868 in comparison to November 2017 where scheduled worked hours totalled 6872.

The "Community Contract" agreement was written in partnership with Community Associations and their representative organisation the North Ayrshire Federation of Community Organisations. It is a written understanding between the Council and Associations of what each party will contribute to the partnership. It was praised as an excellent example of community empowerment and co-production by Kevin Stewart MSP, Minister for Local Government and Housing, during his visit to North Ayrshire on the evening the Contract was being formally signed between North Ayrshire Council and the community associations at an event in Saltcoats Town Hall in January 2017. It states at paras 4:2/4:3:

"At the beginning of each financial year beginning 1 April, North Ayrshire Council will negotiate an allocation of a budget / core hour allocation for caretaking provision, to each individual centre based on the costs of the individual centre's programme for the previous financial year, and any restrictions imposed on finance for the next fiscal year.

If, due to financial constraints, the allocation requires to be reviewed during any financial year, the individual Association and NAFCO will be notified of the revised figure as soon as possible and discussion involving the parties will be convened.

North Ayrshire Council will continually monitor costs over the course of the financial year and if it appears that the allocation is going to be exceeded, officers of the Council will meet with the relevant Association and NAFCO as soon as is practical to seek to resolve the issue."

Cost over-runs result from above average sickness, increased letting or any other costs not previously factored into our budget process. Whilst Associations do not employ the staff, they have agreed within the contract, and in the interests of their members, to work with us in the adjustment of costs to bring the Facilities budget back into balance. By cooperating with us in this way, they minimise disruption to their groups, make up the financial difference out of the generous 2/3rds of letting income that they retain for programming costs and make the Community Centres more sustainable in the long term.

The aims of the Council within the Community Contract are to empower community bodies through the ownership, lease or management of land and buildings, and by strengthening their voices in the decisions that matter to them.

The Contract will also improve outcomes for communities by improving the process of community planning, ensuring that local service providers work together even more closely with communities to meet the needs of the people who use them:-

- i. To extend local democracy
- ii. To empower communities through encouraging active citizenship
- iii. To provide structures and resources to encourage participation in Community Planning and Lifelong Learning.
- iv. To strengthen independent community networks and organisations
- v. To promote social inclusion, build community capacity and promote community control over assets.
- vi. To tackle problems and needs at local level more effectively within a Locality Planning context
- vii. To assist residents and consumers, as stakeholders, to have real power in their partnerships with the Council and other agencies, all of which are designed to contribute to the achievement of the Council's Locality Planning objectives.

We have already entered into discussion with NAFCO, their members and individual Community Associations, to establish a Community Centre Working group with Officers and Elected members early in the New Year. The agenda will include:

- A revision of all letting costs;
- A review of current letting hours to see if they can be reduced;
- The potential for an extension of the Key holding principal within the current legal agreement;
- A review of the current split of letting income;
- A review of the administration of core hours centre by centre;
- A review of the purpose of Community Associations and how best as a Council; and Community planning Partnership we might support and develop them."

Councillor George left the meeting at this point.

- (I) a question by Councillor Gurney to the Cabinet Member for Communities in the following terms:-

"At the last local elections the Labour manifesto stated that 'North Ayrshire Labour will seek to establish an Arts and Culture board, with representatives from key industry bodies on it, to develop an Arts and Culture Strategy for North Ayrshire'.

What stage of the creation of this are we at, and most importantly what does Culture look like in North Ayrshire to an industry that contributes £4.6 billion to Scotland's economy every year?"

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

"National Culture Strategy and North Ayrshire Cultural Strategy

We have drafted our new Cultural Ambition Statement (in line with Scottish Government consultation on a new national Cultural Strategy: 'A Culture Strategy for Scotland') and are now working with our partners to add case studies. This is currently being produced in draft by a graphic design company (a local creative industry) before going out for local consultation.

We have contributed to the Scottish Government's Cultural Conversations consultations on several occasions in the ongoing development of our strategy.

Our ambition, within ongoing financial constraints, is to ensure that everyone can take part in cultural and creative experiences.

North Ayrshire Cultural Network: Creative Conversations

Over the past five years we've been working with our creative artists and communities to forge a Cultural Partnership, "Creative Conversations." Together with North Ayrshire's innovative Creative Scotland Place Partnership, worth up to £200,000 over the duration of the agreement, this provides a vibrant network for collaboration, experimentation and growth. It creates a strong foundation for artists and creative groups to work together. Its work includes identifying new audiences as well as potential participants in the arts from within our diverse communities and offering the support they need to thrive. We meet regularly to develop this and Creative Conversations is scheduled to meet Creative Scotland to discuss the Place Partnership in January 2018.

The network rotates around north Ayrshire to encourage participation and is attended by a wide variety of practitioners and industry partners (c.50 partners), and is supported by NAC and Creative Scotland.

Arts and Culture Board

An Arts and Culture Board is in the process of being developed from this base. We want to ensure that our plans are developed, delivered and owned by an empowered community of artists and creative individuals and complement the ambitions of the Locality Partnerships, as a shared endeavour. Timing is everything and the forthcoming publication of the Scottish Government's Culture Strategy will allow the terms of reference to be developed for this board.

Support for the Creative Industries in North Ayrshire

We are working with economic development partners including Team North Ayrshire business advisers, the Regeneration Team and Business Gateway, including specialists in social enterprises, to provide support, information, business development advice, employability support and opportunities to share and widen access to audiences and local employment and to develop the growing numbers of those embarking on a career in creativity at various stages in life. We are currently mapping and defining what opportunities currently exist, exploring emerging international markets and what can be done with partners to support progression and promotion.

Creative Industries in North Ayrshire

Creative industries (including digital) is one of the Scottish Government's 6 Growth Sectors.

In 2016, the total number of registered creative industries businesses in North Ayrshire was 215 as compared to 200 in 2015.

For the number of businesses this makes creative industries the 4th highest out of the Scottish Government growth sectors in North Ayrshire - ahead of life sciences and energy (including renewables).

In 2014, the turnover of creative industries business in NA was £64.5 million as compared to £58.4m in 2013.

(Note: Gross value added. Gross value added (GVA) is the measure of the value of goods and services produced in an area, industry or sector of an economy, in economics).

2014, the GVA at basic prices of creative industries businesses in NA was £36.2 million as compared to £31.5m in 2013. GVA at basic prices is not available for life sciences and energy, making creative industries the 3rd highest out of 4 sectors, ahead of food and drink.

In 2016, creative industries businesses in NA employed 670 people.

Research

Our research base is growing, with economic impact studies and work carried out by the Hunter Centre for Entrepreneurship at Strathclyde University in relation to our creative industries base and the potential to develop markets and audiences, particularly in relation to film, and we have developed links to the Hatchery in Dundonald, with plans for increased investment in and support for creative industries and social enterprises within the new Quarry Road, Irvine development.”

Programmes in North Ayrshire

We continue, within our current financial envelope, to provide access to arts and cultural opportunities through the Harbour Arts Centre and our new or improved venues to bring culture to the heart of local communities. Our performance spaces include Saltcoats Town Hall, the Heritage Centre, Irvine Townhouse, Trinity Church, the Garnock Campus, and community partners such as Fullarton Connexions or the Fullarton Community Centre.

The rapid growth of new festivals and events on Cumbrae, Arran and in Largs, as well as Irvine Harbourside with the Scottish Maritime Museum, provide economic and cultural opportunities for culture and creativity. Arran is using North Ayrshire’s Place Partnership with Creative Scotland to develop access and its creative network. Initiatives such as Ayrshire Youth Arts Network and Garnock Connections bring new partners together to innovate and share.

Creative Industries Festival

As part of the Place Partnership funding we are planning a joint Ayrshire celebration of the Creative Industries. It is aimed at three target audiences:

- Those engaged in an arts / creative / cultural further education course of study;
- Those employed in the Creative Industries; and
- The communities of Ayrshire.

Aims include:

- Supporting practising artists through seminars and symposiums and give them opportunities to share their work with other audiences
- Inspiring students through a mentoring programme with the local artists
- Providing communities with access to a plethora of opportunities to see and experience the work of the local creative industries at events, performances and through workshops.

The date for this year will be driven by Ayrshire College and UWS we will work toward this becoming an annual event for Ayrshire.

Our community partnerships are increasing vibrant participation in local communities with new audiences. These include Capall Dorcha in the Three Towns; Centrestage at Ardeer, Pennyburn and Fullarton; the Ardrossan Music Experience; Barrfields in Largs; and Impact Arts activity across our communities. Widespread involvement among communities in a variety of the arts increases community spirit, self-worth and equity.

Our Ambition

We are committed to informing and engaging with artists, creative partners, communities and stakeholders to shape a strategy for culture, creativity and the arts which reflects their aspirations and, through partnership working, optimises the available resources for our communities."

Councillors McMaster left the meeting at this point.

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

"NAC has recently cut collections of waste for hard pressed residents in North Ayrshire for the second time in as many months. Will the Member commit to no more cuts in the waste collection regime?"

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

"The change to the organic waste collection frequency was agreed by the Council at its budget setting meeting of 1 March 2017.

At its meeting on 12 December 2017 Cabinet agreed a new Zero Waste Strategy and implementation plan for 2018 – 2022 to enable the Council to meet a range of national legislative requirements and targets, such as the need to recycle 60% of the waste we manage by 2020, and the Household Waste Recycling Charter, which sets down specific collection recommendations around waste streams and capacity.

The strategy sets down a number of changes to collection methodologies that will support greater recycling and help divert some of the 71% of recyclable material that on average is disposed of within the grey residual waste bin away from disposal. These changes will be supported by a comprehensive programme of support for residents to help them make North Ayrshire a more environmentally sustainable area and meet national requirements".

As a supplementary question, Councillor Gurney reiterated his original question, asserting that the issue of cuts had not been addressed by the Cabinet Member's response.

Councillor Montgomerie responded by referring to the SNP Administration's own decision to reduce organic waste collection from weekly to fortnightly.

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

"The last SNP administration of North Ayrshire Council achieved record waste recycling rates of 56.5%, the second best in Scotland. Would the Member tell us the current recycling rate?"

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

"The previous waste strategy agreed in April 2012 enabled the Council to meet the national recycling target of 50% by 2013. The recorded recycling rate for 2016 was 55.3% making North Ayrshire amongst the best recycling areas in Scotland. Performance, to date, during 2017 indicates that a similar rate will be achieved during the current year. The recently approved Zero Waste Strategy will enable the Council to continue improving its recycling performance to meet increasing national targets".

As a supplementary question, Councillor Gurney asked what steps the Cabinet Member would take to raise recycling rates to that of the previous SNP Administration and how, in light of fewer collections, he intended to raise rates.

Councillor Montgomerie responded by indicating that the previous waste strategy originated with the former Labour Administration and pointed out that the Member had not made a call in request in respect of the recently approved Strategy.

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

"North Ayrshire has committed to building 1500 social houses over the next four years. Would the Member tell me how much of the funding, in percentage and absolute terms, has come from the SNP Scottish Government?"

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

"The Strategic Housing Investment Plan 2018-23 (SHIP) sets out the affordable housing investment priorities in North Ayrshire and includes new build homes, refurbished properties and the buy back of ex-local authority properties.

Scottish Government's grant allocation covers a rolling three year funding period and North Ayrshire's allocation for 2018/19-20/21 is £44.271m. Local authorities are advised by the Government to plan their grant allocation with an additional 25% of funding, taking this assumed grant allocation for three years to £55.338m. The SHIP spans five years, therefore an assumed level of grant has been included for the latter 2 years. The funding level used is aligned to the current financial year, 2017/18 at £10.160m, plus an uplift of 25%.

The total grant allocation in the SHIP 2018-2023, including the assumed 25% uplift is therefore £80.738m.

The £80.738m of assumed funding is available to all developing landlords within North Ayrshire ie North Ayrshire Council, Cunninghame Housing Association, Irvine Housing Association and Trust Housing Association. The Scottish Government has set out different new build grant allocations per unit for local authorities and Registered Social Landlords (RSL) at a rate of £0.059m and £0.072m respectively. Refurbished properties attract a slightly lower grant allocation of £0.057m and buy backs are eligible for around £0.040m. The anticipated grant funding for individual projects is detailed within the SHIP.

The Council's investment in the SHIP 2018-23 is £132m which delivers 872 units across new build properties, refurbished properties and second hand buy backs. Scottish Government grant for the Council's projects equates to around 40% of the overall planned investment requirement.

The RSL estimated development costs are not currently available, therefore the percentage of Scottish Government grant funding for their SHIP projects cannot be confirmed at this time".

As a supplementary question, Councillor Gurney contrasted the number of affordable housing units built by the previous Labour Scottish Government (6) with the SNP's own record of building affordable housing (33,490 throughout Scotland), and asked whether the current Labour Administration would be in a position to support its current level of building without the generous levels of funding provided by the Scottish Government.

Councillor Montgomerie referred to figures available from the Scottish Parliament Information Centre on the number of affordable houses (over 31,000) built by Labour across Scotland from 1999 to 2006, adding that the initiative had been started by Labour and was continuing to be delivered by Labour.

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

"The continued investment in social housing by North Ayrshire is to be commended. Does this administration have any plans to progress with a shared ownership model of house building and, if so, what safeguards will be put in place to ensure we do not return to the dark days of council house sales, thus depleting our stock for those most in need?"

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

"The Local Housing Strategy 2018-22 (LHS) was approved by Cabinet on 12 December 2017. The LHS is accompanied by an ambitious Outcome Plan which details our proposals for action across themes including housing supply, housing condition, specialist housing, placemaking, and homelessness.

In terms of shared ownership, the Outcome Plan includes an action to 'explore the viability of delivering alternative affordable housing delivery models'. Officers are in discussions with Scottish Futures Trust regarding the development of a business case for an accessible home ownership model, which is a type of shared ownership. Whilst this model is still being refined a key aspect will be the retention of a majority stake in each property by the Council thus protecting stock for those who desire this type of housing model.

In terms of Council house provision the approach set out within our Strategic Housing Investment Plan 2018-23 includes a target to buy back at least 20 second hand homes over the five year period of the SHIP. This financial year alone, we are on target to buy back 12 ex-Council homes. This demonstrates our commitment to reversing the decline in social housing stock through our ambitious new build housing proposals, as well as through strategic acquisition of properties lost through right to buy”.

As a supplementary question, Councillor Gurney asked whether the Cabinet Member would make a commitment that there would be no return to selling off Council houses.

Councillor Mongomerie responded reminding the Member that Councillor Gallagher had been instrumental in beginning the buy-back process in 2011.

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

“The Cabinet has decided to postpone the upgrade of the B714 and make it dependent on central government funding. What concrete confirmation has the Portfolio Holder for Place been given that such funding will become available and when?”

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

“At its meeting on 14 November 2017 Cabinet agreed to pause local realigning of the B714 pending the development of a Regional Transport Appraisal as part of the developing Ayrshire Growth Deal. The Growth Deal provides an opportunity for both UK and Scottish Government to support our ambition for Ayrshire and we continue to work to secure funding from them. A Transport Summit, with Scottish Government and other stakeholders, has been arranged for 9 February 2018 to inform the development of a Regional Transport Appraisal including the strategic and economic importance of the B714”.

As a supplementary question, Councillor Brahim asked if the Cabinet Member could, in the continued absence of central government funding, advise at what point the Cabinet would take back responsibility for this local government road.

Councillor Montgomerie responded by referring to the £6m capital funding gap and pointing out that no Member had asked for the Cabinet decision of 14 November 2017 to be called in.

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

"New Street in Dalry is one of two streets within North Ayrshire Council to have been assessed as substandard and in need of monitoring in the sense of the Air Quality (Scotland) Regulations 2010. Although the Dalry Bypass, funded and built by the SNP Scottish Government, is anticipated to hugely alleviate any air quality issues on New Street, there is still over a year to go before construction is completed.

According to the Council's 2017 Air Quality Annual Progress Report, NO2 levels in New Street, Dalry have shown an increase since 2016. Can the Portfolio Holder for Place provide an update on how New Street is performing on air quality at the moment and what measures are being taken to ensure this improves while the Bypass is being constructed?"

Councillor Gallagher responded to this question in the following terms:-

"The Environmental Health Team monitor air quality at 26 locations throughout North Ayrshire. According to our latest monitoring results one particular area of air quality, near the traffic lights on the A737 in New Street, Dalry is on the threshold of being substandard for the first six month period of this year. Monitoring over a complete year is required as a full assessment is based on Annual Mean results. As intimated in the Council's 2017 Air Quality Annual Progress Report and agreed by the Scottish Government, all relevant locations in Dalry will continue to be monitored until there is confidence that the levels of pollutants will remain below the objective limits following construction of the bypass."

As a supplementary question, Councillor Brahim asked what would be done in the event that air quality levels did not improve at this location and at what point a decision would be taken.

Councillor Gallagher responded by indicating that air quality had to be measured as a mean over the period of a year and that, as a result, a further six months would be required before consideration could be given to any action required.

15. Motions

In terms of Standing Order 13 there were submitted the following:-

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

"Gender equality is the responsibility of all individuals in society and requires the active contribution of both women and men. An estimated 4.3m women across the UK have experienced domestic abuse since the age of 16 and one in three women worldwide have experienced physical or sexual violence. While the work of Council, Police and others to tackle domestic abuse through the MADART scheme has been sector leading, domestic abuse remains at unacceptably high levels in North Ayrshire.

The 2011 Istanbul Convention calls for the criminalisation and elimination of sexual harassment against women and requires countries to take the necessary measures to ensure that any form of unwanted verbal, non-verbal or physical conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, is subject to criminal or other legal sanction. This convention has not yet been ratified by the UK.

Council agrees that gender stereotypes, sexism, sexual harassment and abuse, either in the workplace or wider society is wrong, is a form of discrimination and will not be tolerated.

Council agrees to take a zero tolerance policy towards any form of harassment, including robust and sustainable support structures for all who have had to experience any form of harassment.

Council agrees that the Leader should write to the UK and Scottish Governments to urge that steps are immediately taken to bring the Preventing and Combatting Violence Against Women and Domestic Violence (Ratification of Convention) Act 2017 into force as soon as possible.

Within North Ayrshire it is important the Council and its partners continue to show community leadership, whether through the Violence Against Women Strategy, the Community Planning Partnership's work to 'Reclaim the Night', or making the White Ribbon Scotland pledge "never to commit, condone, or remain silent about men's violence against women in all its forms".

Council agrees to write to all Community Planning Partners, Community Councils and Community Groups with whom we work, to raise awareness of the issues, to encourage them to sign the White Ribbon Scotland Pledge, and seek their support for 'Reclaim the Night'.

Within the Council workplace we need to be able to ensure that any member of staff or Councillor, or members of the public who come into contact with them, can report harassment and bullying safe in the knowledge that appropriate action will be taken. Council recognises that while procedures where people can raise concerns about harassment and bullying in confidence are in place, we need to ensure that there is awareness of these procedures.

Council agrees to raise awareness by providing briefings/campaigns for all staff on respect and dignity at work in order.

Council agrees there should be mandatory training for all Members on respect and dignity at work to support them in ensuring that the zero tolerance approach becomes the norm.

Council notes that European Parliament Resolution 2017/2897 highlights that education systems and the media have a major influence in relation to gender differences and calls on states to ensure that awareness-raising about sexual consent and sexual harassment are compulsory components of education systems.

Council instructs the Executive Director of Education and Youth Employment to ensure that schools across the authority, in line with the European Resolution, provide clear guidance for pupils, taking account of age and capacity, on all issues related to all forms of harassment and gender based bullying."

There being no amendments, the motion was declared carried.

(b) a Motion by Councillor Billings, seconded by Councillor Ferguson in the following terms:-

"The Isle of Arran is one of North Ayrshire's most buoyant and developing communities, and attracts over 700,000 visitors every year. North Ayrshire Council is aware of Arran's importance and is working with local communities to further develop the island through new housing and business support. All the work that has been done, and is due to take place, to support the ferry link between Ardrossan and Arran, is to ensure that both Arran and Ardrossan gain from the economic and social benefits that such a vibrant economy brings.

Council and community were assured that the new ferry was being designed and built for Ardrossan Harbour. Following a full Scottish Transport Appraisal Guidance (STAG) Ardrossan was chosen as the best harbour. In announcing the decision in April 2017 that the Arran ferry would stay at Ardrossan, Secretary for Economy, Jobs and Fair Work Keith Brown said:

"Having considered all the evidence and representations, we have decided that retaining Ardrossan as the mainland port for the Arran ferry service is the best option."

"The study looked at the options under four broad pillars: Connectivity, Reliability, Overall Operational Cost to the Public Purse and Socio-Economic considerations."

“The Scottish Government is committed to supporting our lifeline ferry links and ensuring that the Arran ferry service is fit for purpose, whilst also getting the best value for the public purse.”

It is therefore, deeply disappointing and concerning to learn that not only will be new £45m ferry (Glen Sannox) not be coming in to service on time, but also that significant issues are just being raised about the ability of the new ferry to operate effectively from Ardrossan. Due to the layout of Ardrossan port there are concerns that the new vessel will not be able to operate in anything other than in almost calm conditions, providing a worse service than is already provided by the Caledonian Isles ferry. The people of Arran and North Ayrshire were assured that the new vessel was being built to a design that was particularly suited to the operating constraints of Ardrossan Harbour, and that it would provide an enhanced service compared with the current service.

The total investment in the Arran ferry link is around £90m (£30m for Brodick terminal, £45 for Glen Sannox, £15m for Ardrossan). This has been many years in the planning and has involved 3 major publicly owned and operated bodies – Transport Scotland, CMAL and Caledonian MacBrayne. The people of North Ayrshire, and in particular Arran, are asking why it is only now, as this huge project is entering its last phase, that we discover the new ferry is not fit for purpose. Why, with such large amounts of money at stake, were these questions not sorted out in the planning phase?

I therefore move that Council instructs the Chief Executive to write to the Minister for Transport and the Islands (a) to express in the strongest terms the Council's disappointment and concern about the current mess and uncertainty that surrounds the final stages of the upgrade to the Arran and Ardrossan ferry link, (b) for an explanation as to how this situation has been allowed to occur, (c) for an assurance that Ardrossan will continue to be the port of choice for the Arran ferry and (d) that if Ardrossan Harbour requires additional modifications to ensure that an efficient and reliable ferry service can operate from the harbour, this will at no additional cost to the people of North Ayrshire."

As an amendment, Councillor Cullinane, seconded by Councillor Gallagher, moved as follows:-

“That the Council:

1. Notes the delay in the Glen Sannox being operational on the Ardrossan-Brodick route and shares the disappointment of the Arran community in that;
2. Acknowledges the work of the project board in taking forward the investment plans for Ardrossan Harbour and the recommencing of the Ardrossan Ministerial Taskforce;
3. Is aware that concerns have been raised about the reliability of test simulations, both in connection with the berthing of the Glen Sannox and the existing boats on the routes;

4. Supports ongoing work of Economy and Communities officers and the Cabinet Member for the Economy to develop further options to improve Ardrossan Harbour to ensure the best service possible for the island of Arran;
5. Notes that the Leader of the Council is in regular contact with the Transport Minister on this issue; and
6. Agrees that the Leader should continue such dialogue to secure the most efficient and reliable ferry service between Ardrossan and Arran.”

Following debate and summing up, on a division there voted for the amendment 25 and for the motion 6, and the amendment was declared carried.

- (c) a Motion by Councillor Gallacher, seconded by Councillor Glover in the following terms:-

"2018 will be the 100th anniversary of the end of the Great War, and will be a year that will bring in to focus the hardships and sacrifice that is caused by war and conflict. At the conclusion of the Great War, memorials were raised as a tribute to the people who died in the service of this country. These memorials remain a point of focus at which we are able to remember and contemplate the individuals who gave their lives, as well as the wider implications of conflict.

Across North Ayrshire there are many war memorials in varying states of repair. In Saltcoats the memorial has been extensively refurbished and sits a proud and worthy tribute to those it remembers. In Ardrossan the Great War memorial on the sea front is in a poor state of repair, however, the Council's Bereavement Officer is working to obtain grant funding via the Centenary Fund so that repair work can be undertaken on the memorial.

The motion is that the Council will survey all war memorials across North Ayrshire. Grant funding will be applied for any memorial that is in need of repair, and the Council will arrange for necessary work to be carried out once the funding is in place. This will help ensure that during 2018 all the war memorials in North Ayrshire will be fit and worthy tributes to the people they were erected to remember."

As an amendment, Councillor Cullinane, seconded by Councillor Bell, moved that:-

"The Council notes that the Centenary Memorials Restoration Fund (CMRF) opened in April 2013 and will close shortly in March 2018. Further notes that, during 2013, officers carried out assessments of all 23 war memorials in North Ayrshire which led to four applications being made to the CMRF. To date funding has been secured for two of those applications at Kilwinning War Memorial and Millport War Memorial and the Council awaits the outcome of the other two at Dalry War Memorial and Ardrossan War Memorial.

Council agrees that all War Memorials will continue to be monitored to inform any required works to ensure they are maintained as fit and worthy tributes."

Councillors Gallacher and Glover agreed to withdraw their motion in favour of the amendment. There being no further amendments, the amendment was declared carried.

(d) a Motion by Councillor Cullinane, seconded by Councillor Foster in the following terms:-

"The 1st Tier JCC meeting last week considered the following resolutions by UNISON, Unite and the GMB. In order that Council can take a joint approach, I move the following:-

North Ayrshire Council has had to manage significant budget pressures for over a decade. Each year over that period the budget settlement for North Ayrshire has reduced in real terms. Successive Governments at both a UK and Scottish level have presided over the funding regime during this period.

Union members have seen cuts to jobs and services with the remaining staff's workload and responsibilities increase with little or no reward.

The Council have adopted different approaches to deal with this problem. On the one hand they have made efficiency savings which has eased budget gaps by increasing income or reducing spending but without any impact in services. On the other hand, and to a lesser extent, they have reduced or withdrawn services.

Moving forward both the Council and the Trade Unions recognise that there is less and less scope for further efficiency savings. Further reductions in the settlement grant will inevitably lead to services being reduced or withdrawn. This will in turn impact on the most vulnerable people in our communities.

Approximately 80% of North Ayrshire Council's workforce live in this area any further job losses would have a significant economic impact on North Ayrshire.

This Council and Trade Unions believe that austerity as a political and economic strategy is completely discredited and has inflicted untold damage on our workforce, public services and our communities.

This Council notes Trade Unions support for this motion and resolves to:

- Publicly and consistently advocate for a fair Local Government settlement.
- Persuade Government to make money available to ensure that vital services for North Ayrshire residents are maintained at the level required for communities that are amongst the poorest in Scotland.
- Give a commitment that the current terms and conditions of employment will be honoured
- Work jointly with Trade Unions in campaigns at all levels of Government against austerity and the impact of austerity on Local Government services."

As an amendment, Councillor Macaulay, seconded by Councillor Burns, moved as follows:-

“North Ayrshire Council and the Scottish Government has had to manage significant budget pressures for over a decade. Council notes that there has been a significant reduction in the Scottish Government’s block grant settlement from the UK Government and therefore condemns the UK Government for continuing to choose to impose austerity on communities across Scotland.

The Council has adopted different approaches to deal with this problem. On the one hand they have made efficiency savings which has eased budget gaps by increasing income or reducing spending but without any impact on services. On the other hand, and to a lesser extent, they have reduced or withdrawn services.

Moving forward, both the Council and the Trade Unions recognise that there is less and less scope for further efficiency savings. Further reduction of Scotland’s block grant by the UK Government will inevitably lead to services being reduced or withdrawn. This will in turn impact on the most vulnerable people in our communities. This Council therefore again urges the UK Government to stop the needless and failing austerity agenda and give sufficient funding to the Scottish Government.

Approximately 80% of North Ayrshire Council's workforce live in this area and any further job losses would have a significant economic impact on North Ayrshire.

This Council and Trade Unions believe that the UK Government choice of austerity as a political and economic strategy is completely discredited and has inflicted untold damage on our workforce, public services and our communities.

The Council notes Trade Union’s support for this motion and resolves to:-

- Publicly and consistently advocate for a fair Local Government settlement
- Persuade UK Government to make sufficient money available through Scotland’s block grant to ensure that vital services for North Ayrshire residents are maintained at the level required for communities that are amongst the poorest in Scotland
- Give a commitment that current terms and conditions of employment will be honoured
- Work jointly with Trade Unions in campaigns at all levels of Government, against the UK Government imposed austerity and the impact of this austerity on Local Government services.”

Following debate and summing up, on a division there voted for the amendment 9 and for the motion 16, and the motion was declared carried.

- (e) a Motion by Councillor Cullinane, seconded by Councillor Gallagher, in the following terms:-

"The revelations from the Paradise Papers showed, once again, that our economy is rigged to benefit the powerful, the wealthy and giant corporations.

This Council believes that corporate tax evasion and avoidance is starving our public services of much needed funding. It further believes that tax practices, such as those exposed in the Paradise Papers, are unfair on all our citizens and small and medium sized businesses who pay their full tax liabilities.

Council believes that bidders for Council contracts should be asked to account for their past tax record. Council therefore agrees that all Council regulated procurement tenderers should be asked the following question "Has the bidder met all its obligations relating to the payment of taxes or social security contributions, both in the UK, and in the country in which it is registered, if that is not the UK? If not, if the breach has occurred within the last 5 years and the tenderer has not taken steps to fully cleanse the breach, it is expected they would be excluded from the tender process.

Council also welcomes the introduction of Fair Tax Mark accreditation for businesses and agrees to work with Fair Tax Mark Ltd to promote use of the mark among North Ayrshire businesses."

Councillor Hill requested, and received, confirmation from the Head of Democratic Services as to the competence of the motion in terms of the proposed question for tenderers to be included in the Council's procurement procedure.

There being no amendments, the motion was declared carried.

Councillor Sweeney left the meeting at this point.

- (f) a Motion by Councillor Miller, seconded by Councillor Donald Reid in the following terms:-

"This Council condemns the decision of the Royal Bank of Scotland to close branches in Kilwinning, Kilbirnie and Saltcoats next year. Notes that 71% of RBS is still owned by the British tax payer and believes it is unacceptable for the bank to act in this way having given guarantees in 2010 that they would stay open even if they were the last ones in town. Council believes that closure of the local branches will have an adverse impact on vulnerable customers, the elderly and local small businesses. Council therefore resolves to ask the Chief Executive to write to both RBS and the UK Government's Economic Secretary to the Treasury to state our opposition and to urge a rethink."

There being no amendments, the motion was declared carried.

(g) a Motion by Councillor McPhater, seconded by Councillor Cullinane in the following terms:-

"The Council notes that women are under-represented across councils in Scotland and make up only 29% of councillors. Council further notes that whilst voluntary mechanisms such as all women shortlists, networks and mentoring have made some progress, women are still not represented equally.

Council notes that despite these measures 29% is the highest proportion of women councillors in Scotland's history.

The Council congratulates the Women 50:50 campaign which has been working across all political parties and has gained support from the SNP, Scottish Labour, Scottish Liberal Democrats and Scottish Green Party leaders and co-conveners.

The Council supports Women 50:50's aim for fair representation of women in Scotland through legislated candidate quotas and backs the campaign's call for fair representation of women across Scotland's public life.

The Council recognises that women are not a homogenous group, and that in any of our outreach work to encourage and champion women we should ensure that we engage a diverse group of women from different races, cultures, religions, disabilities, socio-economic statuses and sexualities.

Council therefore resolves to support the Women 50:50 campaign. Agrees that, in advance of the next local government elections, the Council will run a campaign to encourage more women to stand for election. Further agrees to a review of committee timetables, elected member development sessions and briefings to ensure that the commitments asked of elected members are family friendly, are able to accommodate members outside work commitments and enables members to undertake their ward duties in order to encourage under-represented groups, including women, to stand at the next elections."

Councillors McPhater and Cullinane moved a revision to their motion, to insert into the original wording (i) a reference to the submission of a further report to the Cabinet on the terms of the proposed campaign and (ii) a qualification that the proposed review of committee timetables would relate to future years beyond 2018, given that next year's committee timetable had been approved by the Council.

As an amendment, Councillor Marshall, seconded by Councillor Ferguson, moved as follows:-

"That the Council agrees that, in advance of the next local government elections, the Council will run a campaign to encourage more women to stand for election. Further agrees to a review of committee timetables, elected member development sessions and briefings to ensure that the commitments asked of elected members are family friendly, are able to accommodate members outside work commitments and enables members to undertake their ward duties in order to encourage under-represented groups, including women, to stand at the next elections."

Following questions and debate, on a division there voted for the amendment 8 and for the motion, as revised, 19, and the motion was declared carried.

The Meeting ended at 6.20 p.m.