



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council

A Meeting of the **North Ayrshire Council** of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 09 May 2018 at 14:00** to consider the undernoted business.

1 Apologies

2 Declarations of Interest

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

3 Previous Minutes

The accuracy of the Minutes of the Ordinary Meeting and Special Meeting both held on 28 February 2018 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copies enclosed).

4 Provost's Report

Submit report by the Provost for the period covering 1 March - 2 May 2018 (copy enclosed).

5 Leader's Report

Submit report by the Leader for the period covering 20 February - 2 May 2018 (copy enclosed).

6 North Ayrshire Council Minute Volume (issued under separate cover)

Submit, for noting and for approval of any recommendations contained therein, the Minutes of meeting of committees of the Council held in the period 16 February to 25 April 2018.

7 North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held on 22 March 2018

Submit report by the Chief Executive on the Minutes of the meeting of the Community Planning Partnership Board held on 22 March 2018 (copy enclosed).

8 Appointments to Committees

In terms of Standing Order 7.2, note the undernoted appointments by political groups:-

Committee	Resignation/Vacancy	Appointment
Police & Fire & Rescue Committee	Cllr Louise McPhater	Cllr Jimmy Miller

9 Appointments to Outside Bodies

Consider the undernoted nominations:-

Outside Body	Position	Nominations
Haylie House Board of Trustees	1 vacancy follow Cllr Gallagher's resignation	Cllr Tom Marshall
Hunterston Marine Yard Liaison Group	1 Ward 6 vacancy	Cllr Todd Ferguson Cllr Robert Barr
Hunterston Marine Yard Liaison Group	1 Ward 8 vacancy	Cllr Ian Murdoch

10 Questions

In terms of standing Order 12, submit:-

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

"Members will be aware that teachers, like other public sector employees, have endured a pay freeze for several years. Can the Leader outline his intentions, through his involvement in COSLA and other ways, to ensure teachers achieve an equitable result in their pay negotiation, bearing in mind the current budgetary constraints on this and other councils across Scotland."

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

"Can you confirm and perhaps give any practical examples of the great work of our Care at Home Team during the period of heavy snow, ice and overall difficult condition - 28 February to 3 March - and confirm that these professional and dedicated workers have been appropriately acknowledged by senior management for their dedication to duty, and (2) advise members of the approximate number of staff who were involved in delivering services during this period of extreme weather in Skelmorlie, Largs and Garnock Valley; and (3) confirm if any lessons have been learned from this situation which can be applied in future to ensure staff safety whilst maintaining the vital delivery of service to home care clients."

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

"We all recognise that without more investment in our roads infrastructure there will be a significant negative affect on our economy. How will North Ayrshire Council put pressure on the Scottish Government to make more money available so that all roads within North Ayrshire can be brought up to a good standard?"

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

"At the Council meeting in February the SNP councillors removed £280,000 from the Health and Social Care Partnership budget, resulting in cuts to the Care at Home budget.

When I receive complaints from constituents about not being able to get access to care packages, what cold comfort can I give them on how the money removed from social care is benefitting the education of the children of North Ayrshire?"

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

"1. Between PFI/PPP/NPD/LOBO and PWLB, how much debt is the Council currently carrying?

2. For each type of debt that is applicable, what was the purpose of the debt/loan, and what is the repayment regime?

3. Who had the authority to incur the debt(s) and when were Elected Members consulted in each case?"

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

"Can the Cabinet Member for Health and Social Care confirm the budget contribution from North Ayrshire Council to the Integrated Joint Board for year 2017/18 and again for 2018/19"

(g) a question by Councillor Burns for the Cabinet Member for the Economy, in the following terms:

"What contact, if any, has there been with the UK Government following Theresa May's public commitment to 'talk' about the Ayrshire Growth Deal?"

(h) a question by Councillor Dickson for the Cabinet Member for Health and Social Care, in the following terms:-

"In the summer of 2014, the SNP administration, as part of the NACPP, agreed to invest in a detailed ChildrenCount Wellbeing Survey conducted by Dartington Research Unit; a study completed by our school children aged 9-16 years, asking them directly about their lives.

From that survey information, completed by 8,138 pupils (93%) from 50 primary schools and 9 secondary schools, we gathered hugely valuable information that has given direction to our Children's Services Commissioning Plan and the embedding of Nurture in our schools to support Wellbeing as well as Attainment.

After 4 years, could the Cabinet holder for Health & Social Care advise if this administration is planning to propose a follow up survey, to ensure that the support measures and service provision put in place since, do meet the current needs of our young people?"

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

"Now that North Ayrshire Council have passed a budget that included funding the process to decriminalise parking enforcement, what is the program and timescale for the Council to begin enforcement?"

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

"Does North Ayrshire Council have any plans to follow South and East Ayrshire Councils' example and implement a Trusted Traders Initiative?"

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

"Will the Cabinet Member for Place join me in congratulating the Scottish Government's continued support of council house building, welcome the latest £35 million increase to council house building allocations in Scotland for a total of £568 million this year, £591 million next and £630 million in financial year 2020/21, and confirm an expanded building programme for North Ayrshire underpinned by Scottish government funding during the current term of this Council."

11

Motions

In terms of Standing Order 13, submit:-

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

"North Ayrshire Council condemns the decision of commercial operators, Europe and Jersey to close the car park in New Street Stevenston, built to serve their commercial development. The closure impacts on their tenants, their customers and public alike. We note that closure appears to be designed to put pressure on the Council to relieve the owners from their responsibilities, As a matter of principle Council will not be held to ransom. Nor should public funds be used to benefit private companies that have such disregard for community interests.

The closure has a significant impact on Stevenston. Accordingly Council agrees to instruct officers to examine parking provision within Stevenston to identify the extent of any shortfall, whether reasonable terms can be agreed with Europe and Jersey to acquire the car park, the provision of alternative car parking provision elsewhere, to investigate the potential to improve disabled car parking to support the most vulnerable and to report back to Cabinet in June. In the interim, Council calls on Europe and Jersey to show good faith by re-opening the car park pending such investigation"

(b) a Motion by Councillor Foster, seconded by Councillor McPhater, in the following terms:-

"Council notes the request by Irvine Community Council for a North Ayrshire wide public consultation, including the sharing of information with the public, regarding the previous proposal to purchase the Rivergate Centre and resolves to support the request."

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

“In December 2017 North Ayrshire agreed a number of actions to become a child-centred Council.

Council therefore welcomes and notes the work currently being undertaken by the independent review into the care system in Scotland. The Independent Care Review will not publish its final recommendations until 2020, however Council believes that children and young people who are care experienced should not wait until 2020 for changes that can be made sooner.

Council notes that the majority of children and young people who are care experienced are in this position because their family support has broken down, and that this is very rarely as a result of their actions.

Already the Independent Care Review has advised that as a result of stigma, language and the day-to-day arrangements that are made to support care experienced children and young people public services could change and improve their approach.

The Council instructs Chief Officers to work to address these issues and encourage professionals who work with care experienced children and young people to use language and behaviours that are more suited to a family setting.

For example, Council notes that care experienced children and young people are routinely taken out of education to attend meetings with social workers and other professionals. Being removed from the classroom during the school day has a detrimental impact on care experienced children and young people and can negatively impact on, attainment, building relationships, mental health and can lead to a feeling of being singled out as different from their peers.

The Council therefore instructs Chief Officers to review the practice of removing children and young people from school with the aim of ceasing this practice at the earliest opportunity.

Council notes that care experienced children and young people who have fewer homes and live long term with well supported foster carers who build positive relationships will statistically be healthier, have better education attainment and are more likely to reach a positive destination post-secondary school.

The Council asks that work be undertaken between the HSCP and Housing Services to encourage and support new prospective foster carers, especially those who currently live in housing that cannot accommodate children, to ensure they meet the requirement of becoming a North Ayrshire foster carer. Council asks that the way we recruit prospective foster parents no longer takes into account the applicant's current housing situation at the first stage. Instead the assessment focuses solely on an individual's ability for the role and we then support any new foster carers to access adequate housing to take this important role forward.”

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

“Council notes that:

- The Transatlantic Trade and Investment Partnership (TTIP), the trade deal between the EU and US, stalled at the beginning of 2017, due to widespread public and political concern on both sides of the Atlantic.
- The Comprehensive Economic and Trade Agreement (CETA), between the EU and Canada, despite similar concerns, was passed by the European Parliament in February 2017 and is now awaiting ratification by member states.
- CETA will allow corporations to use a new Investor Court System (ICS) which affords transnational companies rights over elected governments.
- The effects of trade deals like TTIP and CETA go well beyond traditional goals of trade agreements, encompassing a wide spectrum of public policies. These include the harmonisation of regulatory standards; opening markets in the service sector; and the opening up of public procurement markets.
- The current UK government has indicated that it plans to use TTIP and CETA as the basis for any new trade agreements that it negotiates after Brexit.
- In the last two years, ten local Scottish Councils passed motions opposing TTIP and CETA (Dundee, East Dunbartonshire, Edinburgh, Fife, Glasgow, Inverness, Midlothian, North Ayrshire, Stirling and West Dunbartonshire), which demonstrates widespread concern amongst local authorities about the negative impacts of these kinds of trade deals.

This Council believes that:

- This new generation of trade deals represents a real threat to local democracy, affecting the freedom local authorities have in decision making, when these decisions affect the profits of multi-national companies.
- These trade deals could also negatively impact on local services, employment and suppliers, as power is transferred from local and national governments to international corporations.
- A different system of trade is needed, which honours obligations to human rights, workers' rights and climate change commitments.
- Trade deals should be used to help build a fairer society and protect the planet

This Council therefore agrees:

- To endorse the Trade Justice Scotland Coalition's ten principles for just trade, as an alternative to trade deals like TTIP and CETA.
- That the Leader of this Council should write to the Secretary of State for Communities, Social Security and Equalities; the Cabinet Secretary for Finance and Constitution, and local MPs and MSPs to warn of the impact that a new generation of trade deals might have on Council decision-making after Brexit, and to call for them to endorse the Trade Justice Scotland Coalition's principles for just trade
- That the Leader of the Council will write to COSLA to express concern about the impact that future trade deals, negotiated by the UK government after we leave the EU and modelled on TTIP and CETA, might have on local council decision-making, and ask them to raise these with the UK government and Scottish government on this Council's behalf.”

12 Motions to Amend Standing Orders

In terms of Standing Order 22, submit:-

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

“That clause 2 of the Standing Orders be amended as follows:-

The word “eighth” where it appears in line 3 of clause 2.1 shall be replaced by the word “sixth” and the word “eight” where it appears in the same line shall be replaced by the word “six”.

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

“Clause 21.1 delete “in any case of urgency as determined by the Provost”

13 Urgent Items

Any other items which the Chair considers to be urgent.

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North Ayrshire Council Sederunt

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

Chair:

Apologies:

Attending: