

North Ayrshire Council
28 November 2011

IRVINE, 28 November 2011 - At a Meeting of North Ayrshire Council at 2.00 p.m.

Present

Pat McPhee, Ian Clarkson, Robert Barr, Tom Barr, John Bell, Matthew Brown, Margie Currie, Anthea Dickson, John Ferguson, Alex Gallagher, Tony Gurney, Alan Hill, Ruby Kirkwood, Elizabeth McLardy, Peter McNamara, Ronnie McNicol, Elisabeth Marshall, John Moffat, Alan Munro, David O'Neill, Ryan Oldfather, John Reid and Joan Sturgeon.

In Attendance

E. Murray, Chief Executive; I. Colvin, Corporate Director (Social Services & Health); L. Friel, Corporate Director (Finance & Infrastructure); I.T. Mackay, Solicitor to the Council (Corporate Services); J. Leckie, Head of Service (Community and Culture) (Education and Skills); J. Montgomery, General Manager (Policy and Service Reform); M. McKeown, Committee Services Manager, M. Anderson, Committee Services Officer and K. Dyson, Communications Officer (Chief Executive's Service).

Chair

Provost McPhee in the Chair.

Apologies for Absence

Andrew Chamberlain, William Gibson, Jean Highgate, John Hunter, Margaret McDougall, Jim Montgomerie and Robert Rae.

1. Declarations of Interest

There were no declarations of interest by Elected members in terms of Standing Order 16.

2. Minutes

The Minutes of (i) the previous meeting of the Council held on 26 October 2011; and (ii) the Special meeting of the Council held on 9 November 2011, were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Leader's Report

The Leader of the Council reported on the following items:-

Barga: On 27 October, the Council received a visit from a delegation from the town of Barga. This visit was arranged by Councillor Gibson who is a regular visitor to Barga. The delegation which was 15 strong was led by the Mayor of Barga, Mayor Bonini. The Mayor presented the Provost with a book written in English on the history of "The Cathedral of Barga".

Mr Jim Leckie: On 16 December, Jim Leckie, Head of Service in Education and Skills will retire from North Ayrshire Council. Mr Leckie is the last of the original team in Education and Skills from the inception of the Council in 1995/96. The Leader wished Mr Leckie, who was present, all the best for a long and happy retirement. Mr Leckie is being replaced by Audrey Sutton who takes up the post on 19 December.

Hunterston: On 9 November, North Ayrshire Council gave consideration of the single biggest planning application, for a coal fired power station, to come before it, albeit as a statutory consultee rather than the determining authority. The determining authority in this instance being the Scottish Government. The Council has objected to the application.

Irvine Bay URC: On 9 November, the Leader together with Councillor Brown, the Chief Executive, and the Chair and Chief Executive of Irvine Bay URC met with Alex Neil MSP, Cabinet Secretary for Infrastructure and Investment, to discuss future funding for the Irvine Bay URC. The delegation sought an assurance that there would be future core funding and this was confirmed by the Cabinet Secretary. Officers from North Ayrshire Council and Irvine Bay are now engaging with Civil Servants from the Scottish Government to agree the details.

Moderator's Visit: On 14 November the Moderator of the Church of Scotland, the Reverend David Arnott visited Irvine. He met in Cunninghame House with the Provost and the Leader. He was accompanied by three local ministers, the Reverend Robert Travers from the Old Parish Church, the Reverend Neil Urquhart from the Fullarton Parish and the Reverend Hugh Adamson from the Muir Church. The Moderator then visited Irvine library where he was shown some of the work done by young people. He seemed impressed.

Chief Superintendent John Carnochan: On 22 November Chief Superintendent John Carnochan, Head of Strathclyde Police Violence Reduction Unit, made a presentation to Elected Members and Community Planning Partners. The conclusion that early intervention was essential in tackling violence in our communities was well received.

4. Committee Minutes

Submitted reports of Committees, being the Minutes of the Meetings held on the following dates:-

The Executive of North Ayrshire Council: 25 October 2011

Moved by Councillor O'Neill, seconded by Councillor Reid (pages 1-9).

Education Executive: 25 October 2011

Moved by Councillor Bell, seconded by Councillor Reid (pages 10-20).

Staffing and Recruitment Committee: 25 October 2011

Moved by Councillor O'Neill, seconded by Councillor Dickson (page 21).

Staffing and Recruitment Committee: 26 October 2011

Moved by Councillor O'Neill, seconded by Councillor Dickson (page 22).

Kilwinning Area Committee: 27 October 2011

Moved by Councillor Ferguson, seconded by Councillor Oldfather (pages 23-25).

Planning Committee: 1 November 2011

Moved by Councillor McLardy, seconded by Councillor R. Barr (pages 26-31).

Local Review Body: 1 November 2011

Moved by Councillor McLardy, seconded by Councillor R. Barr (pages 32-34).

North Coast Area Committee: 2 November 2011

Moved by Councillor Hill, seconded by Councillor Gallagher (pages 35-40).

Garnock Valley and West Kilbride Area Committee: 3 November 2011

Moved by Councillor R. Barr, seconded by Councillor Reid (pages 41-44).

Staffing and Recruitment Committee: 4 November 2011

Moved by Councillor O'Neill, seconded by Councillor Dickson (page 45).

Scrutiny Committee: 7 November 2011

Moved by Councillor Dickson, seconded by Councillor Brown (pages 46-53).

The Executive of North Ayrshire Council: 1 November 2011

Moved by Councillor O'Neill, seconded by Councillor Reid (pages 54-66).

Ardrossan and Arran, Saltcoats and Stevenston Area Committee: 10 November 2011

Moved by Councillor Gurney, seconded by Councillor McNamara (pages 67-74).

Licensing Committee: 15 November 2011

Moved by Councillor R. Barr, seconded by Councillor Kirkwood (pages 75-79).

Scrutiny Committee: 21 November 2011

Moved by Councillor Dickson, seconded by Councillor Brown (pages 80-84).

The Executive of North Ayrshire Council: 22 November 2011

Moved by Councillor O'Neill, seconded by Councillor Reid (pages 85-101).

Planning Committee: 22 November 2011

Moved by Councillor McLardy, seconded by Councillor R. Barr (pages 102-105).

Local Review Body: 22 November 2011

Moved by Councillor McLardy, seconded by Councillor R. Barr (pages 106-108).

Irvine Area Committee: 23 November 2011

Moved by Councillor Sturgeon, seconded by Councillor Kirkwood (pages 109-114).

5. Political Management Systems: Examining the Options

Submitted report by the Chief Executive on work being done to examine the political management system options for the Council following the 2012 local government elections.

At present, the Council operates an Executive/Scrutiny model of political management, having moved away from a traditional committee structure following the last local government elections in 2007.

In anticipation of next year's Scottish local government elections on 3 May 2012, officers within the Chief Executive's Service are conducting research into the various political management systems operating elsewhere in Scotland and England. The intention is to seek to present findings and, where appropriate, recommendations, which will help to inform the new administration when it considers its political management structure after the local government elections.

The research is also being conducted in response to an identified action within the Improvement Plan put in place following the BV2 Audit of Best Value and Community Planning 2010. Under the theme of 'Strengthening Governance Structures', Action 7/3 provides for "the preparation of options and proposals for a political management system to be adopted by the new Administration beyond May 2012".

Officers from the Chief Executive's Service have to date contacted a total of 86 Local Authorities, comprising 31 Scottish Local Authorities (North Ayrshire Council itself excepted) and 55 unitary authorities in England. The objective was to gain a general insight into the different political systems in operation elsewhere, as well as more specific information on the implications and effectiveness of the various systems and any lessons which might be learnt in terms of good practice. In order to put the information received in context, data was also gathered on the size and political composition of each local authority.

Respondents were invited to complete the survey on-line and, despite the quite significant level of input requested in some instances, the survey response rate was good, with 27 (87%) Scottish local authorities and 31 (56.4%) English unitary authorities responding. This produced a healthy response rate overall of some 67%, albeit that not all local authorities responded to survey questions in the same level of detail and, whether by error or intent, some declined to provide a response to individual questions. Officers have analysed and produced a report on the survey responses, 'Political Management Systems: Examining the Options'. A copy of the full report has been made available to Elected Members.

The intention is for officers to visit other local authorities with a view to observing their political management systems in operation and obtaining more detailed information from Members and Officers on the operation of the systems in question. In addition, guidance is being sought from the Improvement Service on best practice particularly with regard to the scrutiny function. The views of Elected Members and Senior Officers of the Council will also be sought on how North Ayrshire Council's current political management system has operated to date and how the system might be improved.

The Council agreed to (a) note the work being done by officers to examine the political management system options open to the Council following the 2012 local government elections; (b) receive a further report at a future meeting on the outcome of the next steps in the research; and (c) send a copy of the report to Aileen Campbell, Minister for Local Government and Planning.

6. Sixth Review of UK Parliamentary Constituencies: Response to Consultation on Initial Proposals

Submitted report by the Chief Executive on a proposed response to the Boundary Commission for Scotland's initial proposals for UK Parliamentary Boundaries.

At the meeting on 26 October 2011, the Council was advised of the Boundary Commission for Scotland's initial proposals for UK Parliamentary Constituencies. The Council agreed that the views of Elected Members be collated and a report prepared for the next ordinary meeting of the Council outlining the terms of a potential response to the Commission's consultation. It was noted that political parties and others were free to submit their own responses directly to the Commission.

The number of Parliamentary constituencies across the UK is to be reduced from 650 to 600. In Scotland, there will be a reduction from 59 to 52 constituencies. 2 constituencies are prescribed in the legislation: Na h-Eileanan an Iar and Orkney and Shetland.

Currently the area of North Ayrshire falls across two Parliamentary constituencies, North Ayrshire and Arran and Central Ayrshire. North Ayrshire and Arran Constituency consists of parts of Wards 1 and 3 and the whole of Wards 4, 5, 6, 7, and 8. The Central Ayrshire Constituency consists of parts of South Ayrshire and North Ayrshire Wards 1 (excluding 1 polling district), 2, and 3 (excluding 3 polling districts). Across Ayrshire there are 4 UK Parliamentary Constituencies, all contained within the administrative boundaries of the three Ayrshire Councils.

Under the Commission's proposals, Wards 1-5 of North Ayrshire will form a new North Ayrshire and Arran Constituency (electorate 73,760), which will be wholly contained within North Ayrshire. Wards 6-8 will form part of a Renfrewshire South and Largs Constituency (electorate 73,529). If the Commission's initial proposals are approved by Ministers there will in future be 5 UK Parliamentary constituencies covering parts of Ayrshire i.e.

- Galloway and Carrick (electorate 75,146) covering parts of South Ayrshire and Dumfries & Galloway Council
- Kilmarnock & Loudoun (electorate 75,001) covering parts of East Ayrshire
- Kyle and Cumnock (electorate 78,192), covering parts of East and South Ayrshire
- North Ayrshire and Arran (electorate 73,760) covering parts of North Ayrshire
- Renfrewshire South and Largs (electorate 73,529) covering parts of North Ayrshire and Renfrewshire.

Whilst it is recognised that the Boundary Commission has a difficult job to do in bringing forward new constituencies and cannot consider particular areas in isolation, under these proposals, the UK Parliamentary constituencies covering Ayrshire will no longer be wholly contained within the administrative boundaries of the three Ayrshire Councils. In terms of the delivery of elections, the loss of this Ayrshire dimension is to be regretted. All three Ayrshire authorities share the same Electoral Registration Officer and the Councils have established good working practices in delivering elections over a number of years.

Under the proposed new arrangements, 3 of the new constituencies will cover more than 1 local authority area. This will increase the complexity of delivering elections in these constituencies, as input will be required from 2 local authorities and 2 electoral registration officers, each responsible for different registers.

In considering a proposed response to the Council, consideration has been given to i) voter confusion caused by changes to electoral areas; ii) potential administrative complexity resulting from the proposed changes; and iii) the contiguity of Ayrshire as an electoral area. The report presented options for the consideration of Members.

Members expressed the view that the rigid criteria prescribed in statute made the Commission's job in bringing forward proposals all the more difficult. Of the options presented, there was general support for Option 1 - which made a case for retaining the existing Ayrshire constituencies with such minor revisions to boundaries as are required to bring the existing Central Ayrshire constituency up to the minimum electorate threshold.

The Council agreed that the Chief Executive (a) write to the Boundary Commission in support of the retention of the existing Ayrshire constituencies, with such minor revisions to boundaries as are required to bring the existing Central Ayrshire constituency up to the minimum electorate threshold; (b) invite East and South Ayrshire Councils to support the terms of the response; (c) include in the response comments on the limiting effects of the rigid criteria imposed on the Boundary Commission by statute; and (d) invite the Commission, if it is not minded to reconsider its position, to reconsider the names for the new constituencies, as set out in the report, with due consideration given to the Island of Arran in the naming of constituencies.

7. 2012 Scottish Local Government Elections: Designation of Polling Places

Submitted report by the Chief Executive on the proposed designation of Polling Places for the 2012 Scottish Local Government Elections.

Scottish Local Government Elections will take place across Scotland on Thursday 3 May 2012 between the hours of 7.00 a.m. and 10.00 p.m. Within North Ayrshire elections will be held to return 30 Councillors across the 8 multi-member wards. The Council is required to designate polling places for the election. The aim is to ensure that voters have such reasonable facilities for voting as are practicable.

The appendix to the report detailed the proposed polling places for each of the 8 electoral wards. This is based on voters voting at polling places contained within their electoral wards, with no cross-boundary voting to avoid voter confusion in polling places. The list will be subject to the availability of venues being confirmed. In the event that external halls are unavailable, it was proposed that the Chief Executive be authorised to make alternative arrangements.

Members sought assurances in respect of access to Barrfields Pavilion and in relation to the availability of parking within school grounds during polling.

The Council agreed to (a) approve the list of proposed polling places for the 2012 Scottish Local Government Elections; and (b) authorise the Chief Executive to approve such changes to the list of proposed venues as may be necessary to meet unforeseen circumstances.

The Meeting ended at 2.30 p.m.