

North Ayrshire Council  
17 May 2023

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

**Present (Physical Participation)**

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

**Present (Remote Electronic Participation)**

Joe Cullinane and Jim Montgomerie.

**In Attendance**

C. Hatton, Chief Executive; C. Cameron, Director (Health and Social Care Partnership); R. McCutcheon, Executive Director (Place); A. McClelland, Head of Service (Education) (Communities and Education); M. Boyd, Head of Service (Finance); F. Walker, Head of Service (People and ICT); and A. Craig, Head of Service, R. Lynch, Senior Manager (Legal Services), M. Anderson, Senior Manager (Committee and Member Services); L. Jolly, Communications Officer, and C. Stewart and S. Wilson, Committee Services Officers (Democratic Services).

**Chair**

Provost Dickson in the Chair.

**Apologies**

Alan Hill, Todd Ferguson and Amanda Kerr.

**1. Provost's Remarks**

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

**2. Apologies**

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

### **3. Declarations of Interest**

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

There were no declarations of the Party Whip.

Councillor Robertson joined the meeting at this point.

### **4. Previous Minutes**

The accuracy of the Minutes of the Meeting held on 29 March 2023 was confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

### **5. Provost's Report**

Submitted and noted report by the Provost for the period from 20 March – 7 May 2023.

The Provost expressed her sadness at the recent passing of former Provost, Councillor Ian Clarkson, paying tribute to his work as Provost and his 27 years of dedicated service to his community. On behalf of the Council as a whole, the Provost recorded her sincere condolences to Councillor Clarkson's family and loved ones on their recent loss.

Thereafter, at the invitation of the Provost, representatives of the three political groups of the Council and, on behalf of the Independent Members, Councillor Donald L. Reid, took the opportunity to pay tribute both to the late Ian Clarkson and to former Elected Member, Stewart Dewar, who had recently passed away. The hard work of the two former Members was recorded and sincere condolences expressed to the family, friends and communities of both.

### **6. Leader's Report**

Submitted report by the Leader of the Council for the period from 20 March – 7 May 2023.

Noted.

### **7. Council Minute Volume**

Submitted for noting and for approval of recommendations contained therein, the Minutes of meetings of committees of the Council held in the period 27 January – 2 May 2023.

Noted.

## **8. Appointments to Committee**

The Council was invited, in terms of Standing Order 8.5, to note changes in the membership of the North Ayrshire Integration Joint Board and the Police and Fire and Rescue Committee.

The Council agreed as follows:

- (a) in respect of the North Ayrshire Integration Joint Board, to note (i) the resignation of Councillor McPhater effective from 5 May 2023 and (ii) in terms of Standing Order 8.5, the appointment of Councillor Foster to fill this vacancy, effective from 17 May 2023; and
- (b) in respect of the Police and Fire and Rescue Committee, to note (i) the resignation of Councillor Gallacher effective from 5 May 2023 and (ii) in terms of Standing Order 8.5, the appointment of Councillor S. Ferguson to fill this vacancy, effective from 20 May 2023.

## **9. Appointment to Outside Body**

The Council was invited, in respect of the Corporate Equality Group, to note the resignation of Councillor Foster and consider a nomination to fill the vacancy.

Councillor McPhater, having been duly proposed and seconded, was nominated to fill this vacancy. There being no other nominations, Councillor McPhater was duly appointed.

The Council agreed as follows:

- (a) to note the resignation of Councillor Foster from the Corporate Equality Group, effective from 5 May 2023; and
- (b) to approve the appointment of Councillor McPhater to fill this vacancy with immediate effect.

## **10. Annual Review of Governance Documents**

The Council was invited to consider the following reports in terms of the annual review of the Council's suite of Governance documents regulating the operation of Council, its committees and officers.

### **10.1 Scheme of Administration**

Submitted report by the Chief Executive on the Council's Scheme of Administration. The draft revised Scheme of Administration was set out in Appendix 1 to the report.

Councillor Burns, seconded by Councillor Macaulay, moved approval of the revised Scheme of Administration set out in Appendix 1 to the report, subject to the following further change, namely that in Section 3, page 6 of the Scheme of Administration, relating to membership of the Cabinet, point (c) should be amended from “five Members nominated by the Administration” to “four Members nominated by the Administration”.

A proposed amendment by Councillor McLean was withdrawn on the basis that it would have the same effect as the motion in terms of reducing the overall membership of Cabinet by one. Clarification was provided that the terms of the motion would result in a Cabinet comprising six, rather than seven, Members of the Council.

There being no amendment, the motion was declared carried.

Accordingly, the Council agreed to approve, with immediate effect, the revised Scheme of Administration set out at Appendix 1 to the report, subject to a reduction in the Cabinet from seven to six Members of the Council, namely (a) the Leader of the Council, (b) the Deputy Leader of the Council and (c) four Members nominated by the Administration.

## **10.2 Standing Orders Relating to Meetings and Proceedings of the Council and Committees**

Submitted report by the Chief Executive on the review of the Standing Orders relating to Meetings and Proceedings of the Council and Committees, one of the key governance documents regulating the operation of the Council, its committees and officers. The draft revised Standing Orders incorporating changes agreed upon with the Elected Members on the Member Officer Working Group on Standing Orders, were set out in Appendix 1 to the report. Further proposals upon which there was no unanimous agreement were not included at Appendix 1, but instead detailed within Section 2.4 of the report for consideration by Council.

Members asked questions in respect of the officer’s report and received clarification in respect of the following:

- the status of working groups and whether Standing Orders relating to Meetings and Proceedings of the Council and its Committees applied equally to the operation of working groups;
- the applicable call-in period following publication of Minutes of the Cabinet;
- whether further changes to Standing Orders could be proposed, in addition to those matters referred to in the report; and
- the proposal to treat as incompetent any motion/amendment which would result in reserves dropping below the minimum level set by Council, and any unintended consequences there may be in terms of the ability to use unearmarked reserves in an emergency.

The Chief Executive provided clarification in respect of the status of working groups, confirming that they did not have any decision-making powers and that the recommendations made were reported to Council or committee on the basis of consensus being general agreement.

Councillor Gurney, seconded by Councillor Burns, moved approval of recommendation (a) in the officer's report, subject to a further change to Appendix 1, to increase the number of Members required to call a Special Meeting from 9 to 17.

Members asked questions of clarification of the mover of the motion on whether the provision on the calling of Special Meetings also related committees.

As an amendment, Councillor Marshall, seconded by Councillor McLean, moved that the Council accept the report, subject to the following amendments:

- "1. That in relation to Standing Order 3.1 entitled "Special meetings of the Council shall be convened under the following circumstances", paragraph 3.1(v) will be amended as follows: the word "nine" where it occurs on the first line thereof is deleted and the word "seventeen" is substituted therefor;
2. That where clauses in Standing Orders refer to "two thirds of members present and voting" and including clauses 6.5, 19.5, 23.1 and 25.1(i), all such references shall be amended as follows:- the words "two thirds of the Members present and voting" where they occur within said clauses shall be deleted and the words "17 Members of Council" substituted therefor. Where any motion is made to suspend Standing Orders at any Committee of the Council, other than the Local Development Plan Committee, the number of Members required to approve such suspension shall be not fewer than four and a clause specifying that provision shall be included in standing orders;
3. That the last sentence of clause 33.1 (x) of Standing Orders is amended as follows: the words "Voice access by" shall be inserted before the words "Telephone is not part of the accepted method of joining a remote meeting" where they occur on the penultimate and last lines thereof."

As a further amendment, Councillor Foster, seconded by Councillor McDonald, moved the Council accept the report, subject to the following amendments:

"That clauses 6.5, 19.5, 23.1 and 25.1(i) of Standing Orders be amended as follows:- the words "two thirds" where they occur within said clauses shall be deleted and the words "a majority" substituted therefor."

In terms of Standing Order 16.5, Councillor Gurney, with the agreement of his seconder, intimated a willingness to alter his motion to incorporate the terms of the amendment proposed by Councillor Marshall, seconded by Councillor McLean. On that basis, Councillor Marshall, with the agreement of his seconder, agreed to withdraw his amendment in favour of the amended motion.

Thereafter, on a division and a roll call vote, there voted for the remaining amendment, Councillors Bell, Cullinane, Foster, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (8), and for the motion, Councillors Billings, Burns, Collier, Davidson, Dickson, S. Ferguson, Gallacher, Glover, Gurney, Inglis, Johnson, Larsen, Macaulay, Marshall, McClung, McLean, McTiernan, Murdoch, Donald L. Reid, Robertson, Stalker and Stephen (22), and the motion was declared carried.

Accordingly, the Council agreed to approve, with effect from 22 May 2023, the revised Standing Orders for Meetings and Proceedings of the Council and Committees, set out at Appendix 1 to the report, subject to the following amendments:

1. That in relation to Standing Order 3.1 entitled “Special meetings of the Council shall be convened under the following circumstances”, paragraph 3.1(v) will be amended as follows: the word “nine” where it occurs on the first line thereof is deleted and the word “seventeen” is substituted therefor;
2. That where clauses in Standing Orders refer to “two thirds of members present and voting” and including clauses 6.5, 19.5, 23.1 and 25.1(i), all such references shall be amended as follows:- the words “two thirds of the Members present and voting” where they occur within said clauses shall be deleted and the words “17 Members of Council” substituted therefor. Where any motion is made to suspend Standing Orders at any Committee of the Council, other than the Local Development Plan Committee, the number of Members required to approve such suspension shall be not fewer than four and a clause specifying that provision shall be included in standing orders;
3. That the last sentence of clause 33.1 (x) of Standing Orders is amended as follows: the words “Voice access by” shall be inserted before the words “Telephone is not part of the accepted method of joining a remote meeting” where they occur on the penultimate and last lines thereof.

### **10.3 Scheme of Delegation to Officers**

Submitted report by the Chief Executive on the Council’s Scheme of Delegation to Officers. The draft revised Scheme of Delegation to Officers was set out at Appendix 1 to the report.

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

Accordingly, the Council agreed as follows:

- (a) to approve, with immediate effect, the revised Scheme of Delegation to Officers attached at Appendix 1 to the report; and

- (b) to note (i) the existing Statutory Officers and (ii) the appointment of the Chief Education Officer.

#### **10.4 Other Key Governance Documents**

Submitted report by the Chief Executive on other key governance documents regulating the operation of the Council, its committees and officers. The Guidelines on Member/Officer Relations, revised Standing Orders for Contracts and the updated Financial Regulations and Codes of Financial Practice were set out in Appendices 1-3 to the report, respectively.

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

Accordingly, the Council agreed to approve, with immediate effect, (i) the Guidelines on Member/Officer Relations, attached at Appendix 1 to the report; (ii) the Standing Orders for Contracts, attached at Appendix 2 to the report; and (iii) the Financial Regulations and Codes of Financial Practice, attached at Appendices 3a and 3b to the report, respectively.

#### **11. Questions**

The Provost made reference to the period of 45 minutes allocated for consideration of questions in terms of Standing Order 14.2 and to the procedure for consideration of questions.

In terms of Standing Order 14, submitted:

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

“Noting that the Scottish Government is consulting on a proposal to permit Councils to double Council Tax on second homes from 2024 and to apply larger multipliers in subsequent years, does the Member support this proposal and can she outline both the benefits and disbenefits of such a policy?”

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

“Yes, I do agree with it in principle. Any policy that allows for financial flexibility at a local level should be welcomed.

Currently with long-term empty homes, there is a 100% levy applied on top of full Council Tax after 12 months, so technically this new policy would essentially bring second homes ownership into line with that.

As Elected Members will be aware, there was a Policy Advisory Panel meeting scheduled for tomorrow on this very topic. However, due to unforeseen circumstances, that will now have to be rescheduled. So, when that new meeting date is set up, we would certainly welcome feedback from all Elected Members on this subject.”

As a supplementary question, Councillor Marshall asked whether there was any proof that doubling tax on second homes would increase access to affordable housing by encouraging people to sell their houses, or if instead owners would be financially aware and just move to the Airbnb model, thereby incurring no Council Tax.

Councillor Larsen responded by referencing the lack of affordable housing on Arran and the benefits to the island’s economy and employment which would arise from prompting a change to the ownership model to provide more private rental accommodation. The Cabinet Member indicated a willingness to discuss the matter further the Policy Advisory Panel once the meeting had been rescheduled.

(2) a question by Councillor Sweeney to the Cabinet Member for the Economy and Climate Change in the following terms:

“The Administration failed to secure the purchase of the former Lonsdale pub site in Stevenston, with the site being sold to a new private owner. Months later and following a promise from the Cabinet Member that the Council would approach the new owners to discuss their plans for the site, the “sold” sign is still up and the site remains in a state of disrepair. Can the Cabinet Member provide an update on plans for the site?”

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

“Ownership of the site was identified by Officers in early April 2023 when a Planning application (reference 23/00260/PP) was received proposing the redevelopment of the site as a car wash facility. The application is pending consideration.

Officers will continue to monitor the condition and status of the site and contact the new owner, if appropriate, to establish their intentions for the site.”

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

“I asked the following question at the Full Council Meeting held on Wednesday 8 September 2021:



*“Can the Leader of the Council please provide any examples of a North Ayrshire Sole Trader winning a tender for work with NAC through the Community Wealth Building Initiative and can you please provide details of how many North Ayrshire Sole Traders or small businesses with one or two employees are on the tendering list?”*

Can the Leader of the Council please inform me what the current answer to this question is and what has changed in the Community Wealth Building process since 8 September 2021?”

Councillor Burns thanked the Member for his question and made reference to the following written response:

“In the period from 9 September 2021 to present, there were 28 micro enterprises awarded a contract under the tender and Quick Quote processes. This included 17 sole traders, 3 businesses with up to 4 employees and 8 businesses with between 5 and 10 employees. The contracts awarded included:

- Early learning and childcare;
- School transport;
- Graphic design services;
- Multi reactive trades framework;
- Roof repair works;
- Building refurbishment works;
- Printing services;
- Community services;
- Cabling works;
- Signage; and
- Roads Winter Assistance

Sole Traders and small businesses are actively encouraged through the Community Wealth Building (CWB) approach to bid for lower value procurements such as Quick Quotes and inclusion on frameworks for larger value contracts. CWB aims to build capacity within the small business base and saw the Business Development team support 134 business during 2022 to enhance their procurement capabilities.

The Council does not operate a tendering list. Procurements are either open to all suppliers registered on Public Contracts Scotland (Tenders) or are by invitation via the quick quote process depending on the value of works or services. When instigating the Quick Quote process, Service Teams, Procurement and Business Growth identify local suppliers to invite to quote. This includes consideration of small businesses and sole traders where applicable.

The Quick Quote process is less onerous than a tender process and should encourage local bids.

The following changes were made to the CWB Quick Quote (QQ) process in April 2022 to support local businesses to bid for work:

- The ‘works’ Quick Quote limit was increased from £100K to £500K increasing the level of quick quote procurement.
- A local suppliers only Quick Quote process was introduced where there are 4 local suppliers (3 suppliers for the islands). Previously this process required 5 suppliers. Clearly suppliers need to have capability and capacity to deliver the contract.
- An open Quick Quote process was introduced between £500K and £1M where 2 or 3 local suppliers are interested in bidding.

The procurement changes and support provided by Business Development has resulted in significant success for local suppliers. This is illustrated in the value of local QQ awards which in 21/22 was £663,270.80 and in 22/23 rose to £2,723,228.87. This equates to over 4 times the level of awards to local suppliers.

An annual Procurement Activity report was presented to Cabinet on the 29 November 2022. This covered all procurement activity for the financial year 21/22. The report shows that North Ayrshire Council spent a total of £223.7m with 3,564 suppliers. Further analysis shows £51.2m (or 22.93%) of this total expenditure was spent locally with 735 North Ayrshire suppliers, which is an increase of £6m from the previous year. This spend is vital in supporting the procurement pillar of the Community Wealth Building Strategy. A further report covering the financial year 22/23 will be produced later in the year to assess any further progress.”

The Leader concluded her response by offering to meet with the Member separately to discuss any specific concerns he may have on this important issue.

As a supplementary question, Councillor Murdoch expressed his delight at the improvement which had taken place since 2021 and asked if the Leader would continue to support further improvement and seek to increase in the number of small businesses taking part in the tendering process.

Councillor Burns responded in the affirmative, expressing the view that small businesses were the backbone of the area’s economy and that supporting their resilience was an important component of Community Wealth Building.

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

“For the period from April 2021, can the Cabinet Member please list the names of Consultants employed by the Council the value of contract awarded, the specification or purpose of contract, name of the authorising Service and source of the budget?”

In terms of Standing Order 14.4, the question and the following written response by Councillor Larsen were taken as read:

“Analysis of consultancy contracts live from the period from 1 April 2021 has been provided in response to this question (circulated and published separately). This includes contracts awarded through the Council’s Procurement team and call-off contracts against consulting lots within the Council’s professional services framework.”

As a supplementary question, Councillor Marshall expressed disappointment at not having had more time to consider the detailed information circulated as part of the response to this question, and asked for clarification on the acronym “CPU”.

With the permission of the Provost, the Chief Executive advised that the acronym stood for “Corporate Procurement Unit.”

(5) a question by Councillor Foster to the Cabinet Member in the following terms:

“At the budget meeting on 1 March, the SNP Administration voted against raising the amount the Council give in holiday meal entitlement to £4 per day, yet two weeks later raised the amount by a paltry 5p per day.

Can the Cabinet Member advise Council how they managed to do this given Standing order 15.4 which states “A notice of motion or amendment shall not be deemed competent for inclusion or consideration on the agenda if, in the opinion of the Solicitor to the Council the motion or amendment is: the same or similar to a motion determined at Council in the previous 6 months”?”

Councillor Macaulay thanked the Member for his question and responded in the following terms, in his capacity as the Cabinet Member for Education:

“At Cabinet on 21 March 2023, a report was presented which dealt with the method of delivery of free holiday meal provision which had up until then been by way of a voucher scheme. The report recommended a change in delivery approach, taking into account the recommendations from poverty organisations which reflect that cash payments are the most compassionate and dignified way to provide support to those who need help. Cabinet agreed to move from the voucher system to a cash payment system which resulted consequentially in a small saving on the administrative costs of the voucher system which could in turn be redistributed to recipients as it fell within the agreed financial envelope allocated at the budget meeting in March.”

As a supplementary question, Councillor Foster asked whether the Cabinet Member considered this was fair, given that, on the advice of the Section 95 Officer, the Labour group had not been permitted to bring a similar motion to Council on the basis that it was within the same financial envelope as a decision taken at a meeting of Council within the last six months.

Councillor Macaulay responded by declining to comment on administrative matters and expressing the view that the focus should be on ensuring that families continued to receive the help they needed in the dignified way they deserved.

On a point of order in terms of Standing Order 17.10 and in respect of the Protocol for Member/Officer Relations, the Leader asserted that any implication that one political group of the Council was treated differently to another was disrespectful to officers.

The Provost accepted the point of order which had been made and invited the Member to apologise to the Section 95 Officer for any insinuation which had been made in this regard. Councillor Foster duly apologised.

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

“The SNP Administration’s budget made cuts to school meals which would remove the Council’s Food for Life accreditation. Can the Cabinet Member tell us the impact on the nutritional standards of school meals?”

Councillor Macaulay thanked the Member for her question and made reference to the following written response:

“The move away from the Food for Life Accreditation will not impact the future compliance with the Nutritional Requirements for Food and Drink in Schools (Scotland) Regulations and we will continue to offer freshly prepared food and a diverse range of menu options which will be informed in part by pupil feedback. Two inspections have taken place in 2023 at a primary school and a secondary school. These were positive and no areas of concern were identified.”

As a supplementary question, Councillor McDonald referenced positive comments by the Soil Association with regard to the Council’s membership of the Food for Life scheme and its partnership with Woodside Arran Farm CIC, and asked whether the Cabinet Member would intervene to reinstate the community interest company’s contract, or else admit that the Administration had no interest in Community Wealth Building or growing the local economy.

Councillor Macaulay declined to engage in discussion about a single contract and instead explained the rationale for moving away from the Food for Life accreditation, which related to the time required to apply when resources were already stretched. Confirming that the principles of the scheme were already embedded in what the Council did, the Cabinet Member said that the Council aimed to support local business and, most importantly, ensure young people received nutritious and balanced meals.

- (7) a question by Councillor McPhater to the Cabinet Member for the Economy and Climate Change in the following terms:

“Can I ask can the Cabinet Member how much more rent did a tenant at Redburn Grove pay to the Council 22/23 in comparison to Housing Revenue Account tenants?”

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

“Redburn Grove tenants’ weekly rent charge for 2023/24 is £99.86, before award of any benefits for housing costs. The rent charged to the sixteen tenants at Redburn Grove reflects the cost of dedicated on-site support provided by a member of staff as well as maintenance of common outdoor and indoor areas, including the residents’ community room. Rental income funds approximately 50% of the cost of operating the site, with the remaining 50% financed from the Council’s wider General Fund.

The average rent for a Council house (HRA) tenancy is £82.75.”

As a supplementary question, Councillor McPhater referred to a previous request that consideration be given to moving these tenants over to the Housing Revenue Account and asked if there was any further update on progress in relation to this.

Councillor Gurney responded by confirming that Redburn Grove was part of the General Services Account and, as such, the rent had been subject to a lower increase than that applicable to the Housing Revenue Account (HRA). The Cabinet Member confirmed that work was ongoing on the business case for moving Redburn Grove to the HRA and provided an assurance that the findings would be made available to Members as soon as possible.

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

“The new First Minister has announced a £4.5million capital fund to support Councils in providing after school and holiday clubs. Can the Cabinet Member advise us whether the Administration intends to submit a funding bid that could improve access to out of school services in North Ayrshire?”

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

“Details of the fund have just been announced (10 May 2023). Officers are currently engaging with Scottish Futures Trust to determine the most appropriate focus of an application from North Ayrshire Council.”

As a supplementary question, Councillor Cullinane, referring to the impact on working families of patchy out-of-school service provision in areas such as Kilwinning, asked what was being done to explore the gaps in provision and whether this was a factor in scoping out any potential bid.

Councillor Macaulay responded by referring to a new out-of-school service due to open in Kilwinning in August. In terms of the longer-term approach, the Cabinet Member made reference to a forthcoming mini enquiry on child-care which was being undertaken by the Poverty Board, relevant partners and parents. Councillor Macaulay also referred to the use of monies from the Covid Economic Recovery Fund to appoint an officer to oversee this work and maximise the opportunities for child-care provision in North Ayrshire.

(9) a question by Councillor Montgomerie to the Cabinet Member for the Economy and Climate Change in the following terms:

“The toilets at the Melbourne Park have been closed to approaching two years now. Can the Cabinet Member tell me when this toilet block will be repaired and opened back up for public use?”

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

“We are committed to reinstating the service but are currently using the opportunity to explore options to maximise community impact. Local members will be invited to a meeting to discuss proposals shortly.”

As a supplementary question, Councillor Montgomerie referred to a previous commitment to keep local Members updated on developments and asked if the Cabinet Member could now advise the people of Saltcoats and himself on some of the options being considered.

Councillor Gurney responded in the affirmative, confirming that the toilets would be reinstated. The Cabinet Member advised that the delay was due to ongoing engagement with Link Up Saltcoats on the potential for combining the toilet provision with changing facilities for the proposed outdoor pool project.

(10) a question by Councillor Kerr to the Cabinet Member for the Economy and Climate Change in the following terms:

“In September 2020, the Fraser of Allander Institute published ‘The impact of Covid-19 on the Arran Economy’, a report commissioned by the last Administration. Included in the report was an assessment that the ferry is worth around £170,000 per day to the island’s economy. Can the Cabinet Member tell us how much the Arran economy has lost due to cancelled ferry services since the report was published?”

In terms of Standing Order 14.4 and in the absence of Councillor Kerr, the question and the following written response by Councillor Gurney were taken as read.

“It is not possible to determine the precise extent of economic loss to the Arran economy due to cancelled ferry services. Within the Fraser of Allander Institute study published in September 2020 referred to, it was estimated that between August and December 2019 a single ferry journey on average contributed circa £13,200 to Arran’s economy.”

(11) a question by Councillor Foster to the Provost in the following terms:

“Given the role of the Provost as civic head of the Council and the supposed role as impartial chair of Council meetings, does the Provost regret amplifying views on her social media account stating that Anas Sarwar is a “hypocrite for celebrating Pakistan’s separation from India”, that “the SNP came out just fine after the Salmond fiasco”, that “it’s a witch hunt for Peter Murrell and Nicola Sturgeon”, that “we trust the SNP to get us there, whatever way the money is spent is good as far as I’m concerned” and that “Police leaks are behind the press being given information about the investigation into the SNP”?”

The Provost thanked the Member for his question and responded in the following terms:

“I have the greatest respect for the office of Provost and for the non-political nature of the role. I have never confused my role as Provost and the responsibilities that go with it with that of being an Elected Member and I don’t intend to deviate from that today by answering a political question.”

Councillor Foster requested the opportunity to ask a supplementary question. In terms of Standing Order 14.4, the Provost declined to exercise her discretion to allow a supplementary question.

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

“Can the Cabinet Member tell me how many breakfast clubs there are in our schools and early years centres?”

In terms of Standing Order 14.4, the question and the following written response by Councillor Macaulay were taken as read:

“Running total: 36 schools (31 primaries and 5 secondaries) have formal arrangements in place for breakfast clubs. Some are funded through targeted funding from the Devolved School Management Scheme (14) and the rest are funded either through PEF, school funds, the local church or community groups, parents/carers or a combination of these.

The remaining schools do not have a formal breakfast club but these schools have all confirmed that they have informal arrangements in place to ensure that no child arrives at school hungry and would receive something to eat on arrival.”

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

“The SNP Administration has now launched its job cuts fund. Can the Cabinet Member now advise us (a) what roles the Administration aim to cut and (b) the annual savings they expect to achieve?”

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

“There is no such thing as a job cuts fund.”

As a supplementary question, Councillor McPhater referred to the Workforce Planning Fund and, in terms of this, asked what roles the Administration aimed to cut and the annual savings they expected to achieve.

Councillor Larsen responded by advising that the Council had launched a Voluntary Early Release programme which provided an opportunity for eligible employees to apply to voluntarily leave the Council with a severance payment. The Cabinet Member emphasised both the rigorous assessment process associated with this and the voluntary nature of the programme, and expressed the view that using the term ‘job cuts fund’ was disrespectful to Elected Members and officers.

In terms of Standing Order 6.8, the Provost agreed that the meeting be adjourned at 3.25 p.m. for a comfort break. The meeting reconvened at 3.40 p.m. with the same Members and officers present and in attendance.

On a point of order in terms of Standing Order 14.11, Councillor Montgomerie challenged the accuracy of the earlier response provided by the Cabinet Member for the Economy and Climate Change in respect of the supplementary question asked in relation to question (9).

On the advice of the Chief Executive, the point of order was noted; however, any issue with the answer given to the supplementary question would require to be addressed outwith the meeting.



## 12. Motions

In terms of Standing Order 15, submitted:

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

"Cal Mac is to introduce a new e-ticketing system (At Turas) which will result in the removal of the season ticket scheme for those who commute daily from Cumbrae to the mainland. This will result in a 70% increase in fares for commuters including care workers, teachers, nurses, doctors and all those who travel daily from or to the island to perform services for the community. The cost of a typical season ticket of £463 will be replaced by an equivalent cost for a day return over 220 days of £792.

We move that the Council instruct the Chief Executive to write to Kevin Stewart the Transport Minister and Robbie Drummond as Cal Mac Chief Executive, requesting that the season ticket is reinstated, acknowledging that the increase in costs is unacceptable in the present climate for a fragile community and does not align with the government's objectives for Islands to make them sustainable in the long term."

There being no amendment, the motion was declared carried.

- (2) a motion proposed by Councillor McDonald and seconded by Councillor Bell in the following terms:

"Council notes that some areas currently don't have an active Community Council. Council further notes that Community Councils as the first tier of Local Government are an important and vital part of local democracy. Council therefore agrees to instruct officers to bring to a special Council meeting a report outlining the current operation of Community Councils in our area and highlighting which areas do not have an active Community Council. Officers are also requested to advise Council of the process for the review of the Scheme of Establishment of Community Councils and its implications in the event that Council decides at a Special Meeting to review the Scheme."

As an amendment, Councillor Billings, seconded by Councillor McLean, moved as follows:

"Community Councils are the most local form of statutory representation in Scotland and have an important role in helping public bodies gather opinions from local communities. In addition, community councils have a statutory consultation role in planning. With the introduction of the new planning act in Scotland there is the potential for this role to increase.

/Across North Ayrshire there are community councils in many areas who work with their local Elected Members to discuss and help address a range of local issues. However, there are some areas that don't have a community council and are, therefore, missing out on this important local tier of representation.

It is also noted that with the advent of Locality Partnerships and the significant numbers of local resident groups there can be some confusion about exactly does what. This can detract from the importance of having an active community council.

Therefore, the Council agrees to:

1. establish a Members' short-term working group that will explore how local representation operates in each of North Ayrshire's localities. The purposes of this working group will be to:
  - b) establish how local representation currently operates;
  - c) clearly define the representative roles of existing groups;
  - d) identify where there are gaps in local representation; and
  - e) establish a plan that helps ensure equality of local representation across all areas of North Ayrshire, which will include the establishment of new community councils, clarification on the different representative roles of Locality Partnerships and community councils and how non-statutory community groups fit into local representation; and
2. consider, review and potentially agree to implement the recommendations of the short-term working group at a Special Meeting of North Ayrshire Council."

In terms of Standing Order 16.5, Councillor McDonald, with the agreement of his seconder, agreed to alter his motion to incorporate the terms of the amendment, as follows:

"Council notes that Community Councils are operating in some areas of North Ayrshire and are working hard in partnership with local Elected Members to give their communities a voice; however, some areas currently don't have an active Community Council.

Council further notes that Community Councils as the first tier of Local Government are an important and vital part of local democracy especially when it comes to their role as a statutory consultee under Planning Legislation.

Council therefore agrees to instruct officers to bring to a Special Council meeting a report outlining the current operation of Community Councils in our area and highlighting which areas do not have an active Community Council.

Officers are also requested to advise Council of the process for the review of the Scheme of Establishment of Community Councils and its implications in the event that Council decides at a Special Meeting to review the Scheme.

Furthermore, the Council agrees to:

1. establish a Members' short-term working group that will explore how local representation operates in each of North Ayrshire's localities. The purposes of this working group will be to:
  - a. establish how local representation currently operates;
  - b. clearly define the representative roles of existing groups;
  - c. identify where there are gaps in local representation; and
  - d. establish a plan that helps ensure equality of local representation across all areas of North Ayrshire, which will include clarification on the different representative roles of Locality Partnerships and communities councils and how non-statutory community groups fit into local representation; and
2. consider, review and potentially agree to implement the recommendations of the short-term working group at the proposed Special Meeting of North Ayrshire Council along with the report on the review on the Scheme of Establishment."

On that basis and in terms of Standing Order 16.5, Councillor Billings, with the agreement of his seconder, agreed to withdraw his amendment in favour of the amended motion.

Members asked a question of the mover of the motion and received clarification on the proposed reporting arrangements for the two elements of the amended motion.

There being no further amendments, the amended motion was declared carried.

- (3) a motion proposed by Councillor Foster and seconded by Councillor Cullinane in the following terms:

"North Ayrshire Council agrees in principle to scrap all school meal debt by the start of the 2023/24 school year and asks that a report is brought to the June meeting outlining options including financial implications on how to achieve this aim."

As an amendment, Councillor McLean, seconded by Councillor Inglis, moved as follows:

“Council asks that a report is brought to the June meeting outlining options to scrap school meal debt by the start of the 2023/24 school year, including financial implications on how to achieve this aim. However, Council delays making a decision on this matter until after it has received the report so that Council is best informed before deciding and to prevent a hypothetical situation where council has agreed in principle but is unhappy with, or is unable to come to consensus on, the funding options presented.”

Members asked a question of the mover of the motion and received clarification on the intention in terms of “outlining the options” around school debt.

There followed debate and summing up.

On a point of order in terms of Standing Order 15.4, Councillor Billings queried the competence of the motion given that the write-off of school meals debt had been the subject of consideration at a meeting of the Council within the last six months, meaning that consideration would require suspension of Standing Orders.

On the advice of the Chief Executive and Section 95 Officer, the Provost agreed that suspension of Standing Orders was not required as both the motion and amendment related to a report being brought to the next meeting of the Council for consideration. With the permission of the Provost, Councillor Cullinane further clarified that, in any event, a motion on this matter was not ultimately considered at the Special Meeting of the Council for the budget.

On a division and a roll call vote, there voted for the amendment Councillors Billings, S. Ferguson, Gallacher, Glover, Inglis, Marshall, McLean, Donald L. Reid, Stalker and Stephen (10), and for the motion, Councillors Bell, Burns, Collier, Cullinane, Davidson, Dickson, Foster, Gurney, Johnson, Larsen, Macaulay, McClung, McDonald, McPhater, McTiernan, Montgomerie, Donald Reid, Robertson and Sweeney (19), Councillor Murdoch abstaining, and the motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) in principle to scrap all school meal debt by the start of the 2023/24 school year; and
- (b) that a report be brought to the June 2023 meeting of the Council outlining options including financial implications on how to achieve this aim.”

- (4) a motion proposed by Councillor Foster and seconded by Councillor McPhater in the following terms:

“Council asks that a report is tabled to the first meeting of Council following the summer recess outlining the ownership position and options for bringing the old Forum building, old Ruby Tuesdays building and subsequent surrounding buildings that have fallen into disrepair back into a usable state.”

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

“Council asks that a working group is arranged of local Members and relevant officers to discuss and evaluate options outlining the ownership position and options for bringing the old Forum building, old Ruby Tuesdays building and subsequent surrounding buildings that have fallen into disrepair back into a usable state.”

In terms of Standing Order 16.5, Councillor Foster, with the agreement of his seconder, agreed to alter his motion to incorporate the terms of the amendment. On this basis, Councillor Macaulay, with the agreement of his seconder, withdrew his amendment in favour of the amended motion.

There being no further amendment, the motion, as amended, was declared carried.

Accordingly, the Council agreed as follows:

- (a) that a working group of local Members and relevant Officers be established to discuss and evaluate options outlining the ownership position and options for bringing the old Forum building, old Ruby Tuesdays building and subsequent surrounding buildings that have fallen into disrepair back into a usable state; and
- (b) that a report on the outcome be submitted to the first meeting of the Council following the summer recess.

### **13. Urgent Items**

There were no urgent items.

The Meeting ended at 4.20 p.m.