



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council

A Meeting of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 02 November 2022** at **14:00** to consider the undernoted business.

Meeting Arrangements - Hybrid Meetings

This meeting will be held on a predominantly physical basis but with provision, by prior notification, for remote attendance by Elected Members in accordance with the provisions of the Local Government (Scotland) Act 2003. Where possible, the meeting will be live-streamed and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>.

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 and Special Meetings of the Council held on 21 September 2022 will be confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4 Provost's Report

Submit report by the Provost for the period covering 12 September 2022 - 23 October 2022 (copy enclosed).

5 Leader's Report

Submit report by the Leader of the Council for the period covering 12 September 2022 - 23 October 2022 (copy enclosed).

- 6 Minute Volume (issued under separate cover)**
Submit, for noting, the Minutes of Meeting of Committees of the Council held in the period 20 June 2022 to 19 October 2022.
- 7 Appointment to Committee**
The Council is invited to note:
1. the resignation of Councillor S Ferguson from the Licensing Committee and
 2. that, in terms of Standing Order 8.5, the resultant vacancy has been filled, in terms of Standing Order 8.5, by Councillor Inglis, effective from 5 November 2022.
- 8 Appointments to Outside Bodies**
The Council is invited :
1. in respect of Hunterston Site Stakeholder Group, (i) to note the resignation of Councillor T. Ferguson and (ii) consider a nomination for Councillor Glover to be appointed to fill this vacancy in terms of Standing Order 8.4; and
 2. in respect of the Licensing Board, (i) to note the resignation on Councillor S. Ferguson and (ii) consider a nomination for Councillor Inglis to be appointed to fill this vacancy in terms of Standing Order 8.4
- 9 Medium Term Financial Outlook 2023/24 to 2025/26**
Submit report by the Head of Finance on the financial challenges facing the Council over the medium-term in order to help inform the development of budget proposals (copy enclosed).
- 10 Locality Planning in North Ayrshire**
Submit report by the Executive Director (Communities and Education) to provide an update on Locality Planning in North Ayrshire and seek approval for revised Locality Partnership Terms of Reference and Standing Orders, as reviewed and agreed by the Locality Planning Working Group (copy enclosed).
- 11 Sevenacres Bridge, Kilwinning - Compulsory Purchase**
Submit report by the Head of Democratic Services on the proposed compulsory purchase of land required to install a replacement bridge over the Lugton Water at Sevenacres, Kilwinning, and to provide temporary access for those works to be undertaken (copy enclosed).
- 12 Questions**
In terms of Standing Order 14, submit the following questions for consideration in the undernoted order:-

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

"Noting that Dunoon Grammar has adapted its Curriculum to provide 50 courses which reflect key sectors of the local economy such as tourism and marine studies as well as community projects and as a result was named ahead of runners-up in Brazil and India to win a \$50,000 prize as the T4 Education World's Best School for Community Collaboration, what lessons can the Council learn to apply to its rural and coastal Academies and High School to mirror the success of Dunoon?"

(2) a question by Councillor Montgomerie to the Cabinet Member for Place in the following terms:

"After 100 years on Saltcoats High street local businesses Gregor Watsons recently announced that it will close, potentially leaving Saltcoats with another vacant retail unit on our Hight Street. Does the Cabinet Member believe the introduction of parking charges will make it easier or harder for local businesses to survive in the current economic climate, and for the Council to bring vacant properties back into productive use?"

(3) a question by Councillor Collier to the Cabinet Member for Health and Social Care in the following terms:

"What work is being carried out by HSCP to support individuals in accessing residential rehabilitation?"

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

"To ask the Cabinet Member for Finance how much new capital investment has been made into Springside Primary school since the decision to keep the school open in 2008, not including maintenance and repairs, and not including monies spent on the new Early Years Centre?"

(5) a question by Councillor Donald Reid to the Cabinet Member for Place in the following terms:

"To ask the Cabinet Member how many applicants are on the North Ayrshire Housing Register with Kilwinning within their choices of area to be considered."

(6) a question by Councillor McTiernan to the Cabinet Member for Health and Social Care in the following terms:

"Given the current pressures which have been widely reported in the media for Health and Social Care Services across Scotland, there are significant concerns on how the system will cope with the impending winter period. Can the Cabinet Member for H&SC provide an update to Council on the local position and a reassurance on any winter plans in North Ayrshire?"

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

"Will the new Administration commit to reinstating the disabled fishing platform behind Lamont Drive in Irvine?"

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

"How many of our residents have received travel passes from the "Public Transport Travel Scheme", approved by Cabinet in June 22?"

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

"To ask the Leader of the Council what discussions have taken place with the business sector to promote and attract employment opportunities to North Ayrshire?"

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

"To ask the Cabinet Member for Finance if staff have received the backdated 2022/23 pay award in their pay packets?"

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

"How can North Ayrshire Council help support the Arran Ferry Committee in its efforts to encourage Transport Scotland, Peel Ports and Calmac to provide a speedy permanent solution to the damaged fenders at Ardrossan which are causing continued cancellation of key early and late ferry sailings?"

(12) a question by Councillor Sweeney to the Cabinet Member for Place in the following terms;

"To ask the Cabinet Member where North Ayrshire Council was ranked for recycling performance amongst Scottish local authorities in 2016?"

(13) a question by Councillor T. Ferguson to the Cabinet Member for Place in the following terms:

"To ask the Cabinet portfolio holder for Place to provide an update on the investigation into the paused roll out of Facial Recognition software in our schools."

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

"North Ayrshire Council agreed its budget for 2022/23 eight months ago. Included in the budget was £1.726million for an energy support fund, now called "Energy Smart", to help residents through the cost-of-living crisis. Eight months on, can the Cabinet Member advise us how many residents have received support from the "Energy Smart" scheme?"

(15) a question by Councillor McLean to the Cabinet Member for Place in the following terms:

“To ask the Cabinet Member for Place if he is concerned about the state of the old Dreghorn Primary School building on the Main Street and the incessant vandalism to the site?”

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

“To ask the Cabinet Member for Finance what impact the current instability in economic markets is having on the Council’s Capital Financing Requirement for the approved Capital Programme, and what subsequent impact that will have on the Loans Fund Principal Repayment?”

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

“Will the Leader agree to organise a Members’ Update on the progress that KA Leisure is making to refocus its activities on exercise as a means to aid health and wellbeing, and to be less reliant on subsidy from North Ayrshire Council for its core exercise facilities?”

(18) a question by Councillor Foster to the Leader of the Conservative and Unionist Group in the following terms:

“What does the Leader of the Conservative Group believe will have the worst impact on North Ayrshire residents - the rise in mortgage repayments, the run on pension funds or the imposition of austerity 2.0 arising from the Tories “mini-budget”?”

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

“Does the Education Portfolio holder support the proposal in the Gender Recognition Reform (Scotland) Bill as debated at Holyrood that will allow people as young as 16 to legally change their gender?”

(20) a question by Councillor McDonald to the Cabinet Member for Health and Social Care in the following terms:

“It has been reported that the Scottish Government want to “reclaim” reserves from Health and Social Care Partnerships. Can the Cabinet Member tell us how much funding for health and social care services in North Ayrshire could be grabbed back by the Scottish Government under this move?”

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

“To ask the Council Leader whether they “detest the Tories”?

Motions

In terms of Standing Order 15, submit:-

(1) a motion by Councilor McDonald, seconded by Councillor Kerr, in the following terms:

“Council notes that there will be no Wrap, Run and Fun holiday meal and activity programme over the October and festive holidays. Further notes that a voucher replacement will be in place with values of £10 per week for the mainland and £20 for the islands, which represents a 50% cut in the value of mainland vouchers when compared to the voucher replacement scheme that operated during the Covid pandemic. Council believes it would be unacceptable to cut school holiday meal support by 50% during a cost-of-living crisis and therefore agrees to use £145,000 of unearmarked reserves to increase the value of the voucher to reinstate the £20 per week where the Wrap, Run and Fun programme cannot be provided vouchers for children on the mainland during the October and festive holiday periods.”

(2) a motion by Councillor Inglis, seconded by Councillor Glover, in the following terms:

“Following the rejected bid for the STEP Fusion Plant at Ardeer Peninsula I move that North Ayrshire Council records its regrets of the loss of millions of pounds of investment and 4500 jobs that would have come to the area of Stevenston if Ardeer was the winning bid and instructs the Chief Executive to write to the First Minister to ask her to prioritise this Council area for inward Investment and to explain her Government’s refusal to support nuclear energy as a dependable carbon free method of electricity generation.”

(3) a motion by Councillor Kerr, seconded by Councillor Sweeney, in the following terms:

“In light of allegations made in the BBC Scotland Disclosure episode, “The Great Ferries Scandal”, which relates to the procurement of two ferries including the Glen Sannox, Council instructs the Chief Executive to write to Chief Constable Sir Iain Livingstone of Police Scotland, requesting that the force carries out a full and thorough investigation into all aspects of the ferries procurement process. Council also instructs the Chief Executive to request that all members of the Ardrossan Ministerial taskforce co-operate fully with any investigation.”

(4) a motion by Councillor McDonald, seconded by Councillor McPhater, in the following terms:

“Council notes recent analysis by the IFS that if benefits were uprated in line with inflation next April they would still be 6% below their pre-pandemic levels due to a below-inflation uprating in April 2022.

Notes with concern that senior Conservative Government Ministers have refused to commit to even uprating benefits in line with inflation this coming April.

Council is concerned that the cost-of-living crisis will push more families in North Ayrshire into poverty and believes that the value of benefits must be restored to pre-pandemic levels to assist families with rising costs.

Council therefore instructs the Chief Executive to write to the Chancellor of the Exchequer calling on the UK Government to not only uprate benefits in line with inflation but to fully restore their value by compensating for the 6% lost value from the April 2022 uprating.”

(5) a motion by Councillor Foster, seconded by Councillor McDonald, in the following terms:

“Council acknowledges that Education Maintenance Allowance (EMA) provides financial support to young people from low income households to stay on in post-16 education.

Council notes that the income thresholds for eligibility (£24,421 for households with one dependent child and £26,884 for households with more than one dependent child) has not been reviewed since 2016 nor has the EMA award been uprated (£30 per week per eligible young person).

Given the pressures on household budgets as a result of the cost of living crisis, Council acknowledges that households above these income thresholds are increasingly struggling financially.

Council believes that the income thresholds for EMA and the award level should be reviewed to ensure that young people are not prevented from continuing in post-16 education because of pressures on their household budgets. Council therefore instructs the Chief Executive to write to the Deputy First Minister requesting that they increase the income thresholds and the level of EMA in their upcoming budget.”

(6) a motion by Councillor McLean, seconded by Councillor Billings, in the following terms:

“That the Council agrees to form a Member Officer Working Group to review the operation of the Housing Allocation system.”

(7) a motion by Councillor McLean, seconded by Councillor Gallacher, in the following terms:

“Council agrees to the creation of a Member Officer working group to look into the current and historic issues in the Dundonald Camp/Auchengate area to take a paper to Cabinet acknowledging these issues and attempt to find positive solutions.”

14 Urgent Items

Any other items which the Provost considers to be urgent.

Webcasting

Please note: this meeting may be filmed/recorded/live-streamed to the Council's internet site and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>, where it will be capable of repeated viewing. At the start of the meeting, the Provost/Chair will confirm if all or part of the meeting is being filmed/recorded/live-streamed.

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If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact dataprotectionofficer@north-ayrshire.gov.uk.

North Ayrshire Council Sederunt

John Bell
Timothy Billings
Marie Burns
Eleanor Collier
Joe Cullinane
Scott Davidson
Anthea Dickson
Stewart Ferguson
Todd Ferguson
Robert Foster
Scott Gallacher
John Glover
Tony Gurney
Alan Hill
Cameron Inglis
Margaret Johnson
Amanda Kerr
Christina Larsen
Shaun Macaulay
Jean McClung
Nairn McDonald
Matthew McLean
Louise McPhater
Davina McTiernan
Tom Marshall
Jim Montgomerie
Ian Murdoch
Donald Reid
Donald L Reid
Chloe Robertson
Ronnie Stalker
Angela Stephen
John Sweeney

Chair:

Apologies:

Attending:

North Ayrshire Council
21 September 2022

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, Joe Cullinane, Scott Davidson, Anthea Dickson, Stewart Ferguson, Todd Ferguson, Robert Foster, Scott Gallacher, John Glover, Tony Gurney, Alan Hill, Cameron Inglis, Margaret Johnson, Amanda Kerr, Christina Larsen, Shaun Macaulay, Tom Marshall, Nairn McDonald, Matthew McLean, Louise McPhater, Davina McTiernan, Jim Montgomerie, Donald Reid, Chloé Robertson, Ronnie Stalker, Angela Stephen and John Sweeney.

Present (Remote Electronic Participation)

Ian Murdoch and Donald L. Reid.

In Attendance

C. Hatton, Chief Executive; C. Cameron, Director (Health and Social Care Partnership); A. Sutton, Executive Director (Communities and Education); K. Yeomans, Director (Growth and Investment); T. Reaney, Head of Service (Commercial) (Place); M. Boyd, Head of Finance; and R. Lynch, Senior Manager (Legal Services), M. McColm, Senior Manager (Communications), L. Taylor, Team Manager (Legal Services); and, M. Anderson, Senior Manager (Committee and Member Services), A. Little and C. Stewart, Committee Services Officers (Democratic Services).

Chair

Provost Dickson in the Chair.

Apologies

Jean McClung.

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. One-Minute Silence

At the invitation of the Provost, those present observed a minute's silence as a mark of respect following the passing of Her Majesty, the Queen, on 8 September 2022.

3. Apologies

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

4. Declarations of Interest

In terms of Standing Order 11 and Section 5 of the Councillors' Code of Conduct, Councillor Bell, as a former director of Radio City Association, declared an indirect interest in Agenda Item 14 (The Knox Institute, Kilbirnie – Proposals for Future Status and Use) and took no part in the deliberation or determination of that item.

There were no declarations of the Party Whip.

5. Previous Minutes

The accuracy of the Minutes of the Meeting held on 22 June 2022 was confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

6. Provost's Report

Submitted report by the Provost for the period from 13 June to 9 September 2022.

The Provost took the opportunity to express her sadness at the recent passing of Her Majesty, the Queen at Balmoral and referred to the late Queen's remarkable life of public service. The Provost intimated that she had had the honour of representing the people of North Ayrshire at a special thanksgiving service at St. Giles' Cathedral in Edinburgh on 12 September 2022.

The Provost also paid tribute to the work of the past Provost and formally expressed her condolences to the family, friends and former colleagues of the late Council Convenor, Sam Taylor, and former Elected Member, Alan Munro.

Noted.

7. Leader's Report

Submitted report by the Leader of the Council for the period from 13 June – 9 September 2022.

Councillor Burns also referred to the passing of Her Majesty, the Queen, offering her sincere condolences to the late Queen's family for their loss.

Noted.

8. Council Minute Volume

Submitted for noting, the Minutes of meetings of committees of the Council held in the period 16 June – 24 August 2022.

Noted.

9. North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held in June and September 2022

Submitted report by the Executive Director (Communities and Education) on the Minutes of meetings of the North Ayrshire Community Planning Partnership Board held on 23 June 2022 and 1 September 2022.

Noted.

10. Appointments to Committees

The Council was invited (a) to note, in terms of standing Order 8.5, that the Administration's vacancy on the Police and Fire and Rescue Committee had been filled by Councillor Davidson, effective from 12 August 2022; (b) to consider a nomination for Councillor McLean to fill a vacancy on the Licensing Committee, the Second Opposition having failed to fill this vacancy within 12 weeks, in terms of Standing Order 8.5; and (c) to consider a nomination for Councillor Billings to be appointed as Vice Chair of the Local Development Plan Committee.

Councillor Marshall, seconded by Councillor T. Ferguson, moved the appointment of Councillor McLean to serve on the Licensing Committee. There being no amendment, Councillor McLean was duly appointed.

Thereafter, Councillor Marshall, seconded by Councillor T. Ferguson, moved the appointment of Councillor Billings to serve as Vice Chair of the Local Development Plan Committee. There being no amendment, Councillor Billings was duly appointed.

Accordingly, the Council agreed as follows:

- (a) to note the appointment of Councillor Davidson to the Police and Fire and Rescue Committee, effective from 12 August 2022; and
- (b) to appoint (i) Councillor McLean to the Licensing Committee and (ii) Councillor Billings as Vice Chair of the Local Development Plan Committee.

Councillor Murdoch joined the meeting remotely during consideration of the following item of business.

11. Appointments to Outside Bodies

The Council was invited to consider nominations received in respect of the Hunterston Site Stakeholders Group, Glasgow Prestwick Airport Consultative Committee, the Licensing Board, the SEEMiS Board of Management and Strathclyde Partnership for Transport.

On a point of order, Councillor Marshall referred to the resignation of Councillor T. Ferguson from the Hunterston Site Stakeholders Group earlier in the day and requested clarification as to whether this further vacancy could be filled immediately. Confirmation was provided that, in terms of Standing Order 8.4, proper notice of the vacancy would be provided and nominations invited for consideration at the next ordinary meeting of the Council.

Councillor Burns, seconded by Macaulay, moved the appointment of Councillor Collier to serve on the Hunterston Site Stakeholder Group.

Councillor Marshall, seconded by Councillor T. Ferguson, moved the appointment of Councillor Glover to serve on the Hunterston Site Stakeholders Group.

On division and a roll call vote, there voted for the appointment of Councillor Glover to serve on the Hunterston Site Stakeholders Group, Councillors Billings, S. Ferguson, T. Ferguson, Gallacher, Glover, Inglis, Marshall, McLean, Montgomerie, Stalker and Stephen (11) and for the appointment of Councillor Collier, Councillors Bell, Burns, Collier, Cullinane, Davidson, Dickson, Foster, Gurney, Hill, Johnson, Kerr, Larsen, Macaulay, McDonald, McPhater, McTiernan and Robertson (17), Councillors Murdoch, Donald Reid, Donald L. Reid and Sweeney abstaining, and Councillor Collier was duly appointed.

Thereafter, Councillor Burns, seconded by Councillor Macaulay, moved the appointment of Councillor Gurney to serve as the Council's main representative on the Glasgow Prestwick Airport Consultative Committee.

Councillor Marshall, seconded by Councillor T. Ferguson, moved the appointment of Councillor McLean to serve as the Council's main representative on the Glasgow Prestwick Airport Consultative Committee.

The Provost sought, and received, confirmation that neither nomination for the position as the Council's main representative was being withdrawn to allow for that nominee to be appointed instead as the substitute representative.

On a division and a roll call vote, there voted for the appointment of Councillor McLean to serve as the Council's main representative on the Glasgow Prestwick Airport Consultative Committee, Councillors Billings, S. Ferguson, T. Ferguson, Gallacher, Glover, Inglis, Marshall, McLean, Stalker and Stephen (10) and for the appointment of Councillor Gurney, Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McTiernan and Robertson (11), Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Murdoch, Donald Reid, Donald L. Reid and Sweeney abstaining, and Councillor Gurney was duly appointed.

It was then unanimously agreed that Councillor McLean be appointed as the Council's substitute representative on the Glasgow Prestwick Airport Consultative Committee.

Thereafter, Councillor Marshall, seconded by Councillor T. Ferguson, moved the appointment of Councillor McLean to serve on the Licensing Board. There being no amendment, Councillor McLean was duly appointed.

Councillor Burns, seconded by Councillor Johnson, then moved the appointment of Councillor Macaulay to serve on the SEEMiS Board of Management. There being no amendment, Councillor Macaulay was duly appointed.

Councillor Marshall, seconded by Councillor T. Ferguson, then moved the appointment of Councillor McLean as the Council's substitute representative on Strathclyde Partnership for Transport. There being no amendment, Councillor McLean was duly appointed.

Accordingly, the Council agreed to appoint (i) Councillor Collier to serve on the Hunterston Site Stakeholders Group, (ii) Councillors Gurney and McLean to serve on the Glasgow Prestwick Airport Consultative Committee as its main representative and substitute representative, respectively, (iii) Councillor McLean to serve on the Licensing Board, (iv) Councillor Macaulay to serve on the SEEMiS Board of Management and (v) Councillor McLean to serve as its substitute representative on Strathclyde Partnership for Transport.

12. Committee Timetable: January – June 2023

Submitted report by the Head of Democratic Services on a proposed timetable of meetings for the period from January until the end of June 2023.

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

Accordingly, the Council agreed to approve the timetable of meetings for the period January – June 2023, as set out in Appendix 1 to the report.

13. Locality Planning in North Ayrshire

Submitted report by the Executive Director (Communities and Education) which provided an update on Locality Planning in North Ayrshire and sought approval for the revised Locality Partnership Terms of Reference and Standing Orders set out in the appendices to the report.

Members asked questions, and received clarification, on options for enabling Locality Partnerships to be updated on health matters and on the applicable quorum for smaller Locality Partnerships.

Councillor Hill, seconded by Councillor Burns, then moved approval of the recommendations set out in the report.

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

"That the Council agrees to remit this report on the Revised Locality Partnership Terms of Reference and Standing Orders to a working party of Members to enable Members the opportunity to scrutinise the proposals and report back to the next full Council."

On a point of order, Councillor Burns sought, and received, confirmation that Councillor Hill, who had not spoken when proposing his motion, would be permitted to speak in debate, in terms of Standing Order 17.7.

There followed debate and summing up.

On a division and a roll call vote, there voted for the amendment, Councillors Bell, Billings, Cullinane, S. Ferguson, T. Ferguson, Foster, Gallacher, Glover, Inglis, Kerr, Marshall, McDonald, McLean, McPhater, Montgomerie, Murdoch, Donald Reid, Stalker and Stephen (19) and for the motion, Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McTiernan, Robertson and Sweeney (12), Councillor Donald L. Reid abstaining, and the amendment was declared carried.

Accordingly, the Council agreed as follows:

- (a) to remit the report on the Revised Locality Partnership Terms of Reference and Standing Orders to a working party of Members to enable Members the opportunity to scrutinise the proposals; and
- (b) that a report on the outcome be submitted to the next ordinary meeting of the Council.

14. Armed Forces Covenant Duty

Submitted report by the Head of Democratic Services on the range of support currently provided by the Council to the serve and veteran community and the ways in which the Armed Forces Covenant would inform the development of future Council policy and decisions.

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

Accordingly, the Council agreed:

- (a) to note (i) the current support provided to the Armed Forces and Veterans, as set out at Appendix 2 to the report and (ii) the new Armed Forces Covenant Duty which came into effect as a result of the Armed Forces Act 2021; and
- (b) that, following publication of the Statutory Guidance in respect of the new Act, a report would be submitted to Cabinet on how the Council would respond to its obligations under the new Act.

15. The Knox Institute, Kilbirnie – Proposals for Future Status and Use

Submitted report by the Executive Director (Communities and Education) on the current situation relating to the Knox Institute and the historical purposes placed on it. The report proposed a way forward by dissolving the Trust and, in turn, alleviating the Council of the historical purposes and the asset in a manner that will benefit the local community.

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

Accordingly, the Council agreed as follows:

- (a) in principle to dissolve the Knox Trust and authorise officers to initiate the legal process required;
- (b) that the costs for the legal process be met from the existing Community Asset Transfer Start-Up funding;
- (c) to authorise officers to lease 21-23 Main Street at the current commercial rent, to the Radio City Association to allow the building to be utilised while the legal process was ongoing; and
- (c) to accept a further report at a future meeting of the Council to share the findings of the legal process regarding the future of the Knox Institute.

In terms of Standing Order 6.8, the Provost agreed that the meeting be adjourned at 3.20 p.m. for a short comfort break, reconvening at 3.30 p.m. with the same Members and officers present and in attendance (as previously, by remote electronic means or in person).

16. Questions

The Provost introduced this item of business, reminding Members of the Standing Orders provisions relating to questions. Members were advised that a period of 45 minutes was allocated for consideration of the undernoted questions, the order of which had been determined following the drawing of lots, as set out in Standing Order 14.3.

In terms of Standing Order 14, submitted:

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

“To ask the Cabinet Member whether the Administration intends to transfer Redburn Grove to the Housing Revenue Account?”

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

“Redburn Grove is currently owned by the Council’s General Fund, however a review of the operating/ funding model – including the site’s future maintenance and development needs - is included in Housing’s 2022/23 Operational Plan. This review is currently underway and will consider whether the Council should approach the Scottish Government to seek permission to move the site from the General Fund to the HRA.”

Councillor McPhater asserted that transferring the site to the HRA would lower rent levels for tenants of Redburn Grove and, as a supplementary question, asked whether the Cabinet Member would commit to improving the situation for those tenants in this way.

Councillor Davidson responded by reiterating that a review was underway and undertaking to ensure Members were advised of its conclusion.

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

“The people of Kilbirnie and Glengarnock are very concerned that burial space is very quickly running out in Kilbirnie cemetery for and, in light of this, can the Cabinet Member for Place provide an update on the assessed current capacity of that cemetery and highlight what plans for land acquisition are being considered for a cemetery extension?”

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

“The Council is actively looking to see if capacity can be increased.

“Property Management and Investment have been looking for a suitable site for a cemetery but feasibility studies have not identified a suitable location due to issues with ground water and the need to meet Scottish Environment Protection Agency (SEPA) regulations issued in 2017.

This stipulates that any new burial ground should not be considered if it is on land prone to flooding, it must be at least 50m from a watercourse/spring, etc. Whilst acknowledging the strong environmental and health grounds for the issuing of this guidance, it does however reduce the number of sites that may be suitable for a burial ground.

The Burial and Bereavement officer recently undertook an extensive review to identify potential areas within the existing cemeteries.

We currently have approximately 2 years’ capacity remaining and we have identified some areas in Kilbirnie New Cemetery that could be laid out to provide additional lairs which will increase capacity to an estimated 2.5 to 3 years based on demand for burials remaining constant.”

As a supplementary question, Councillor Donald L. Reid asked for an assurance that the Council would begin to look at alternative grounds elsewhere for burial purposes.

Councillor Davidson responded by offering to arrange for a meeting to take place with Ward 2 Members and officers.

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

“Can the Cabinet Member provide an update on the measures which the Council is putting in place in support of the Miscarriage Association Pregnancy Loss Pledge, which aims to provide a supportive work environment for those who have experienced a pregnancy loss?”

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

“The Council has fully committed to the Miscarriage Association Pregnancy Loss Pledge.

The Pregnancy Loss Pledge is a new campaign by the Miscarriage Association which urges employers to commit to supporting their staff through the distress of miscarriage. The pledge asks employers to create a supportive work environment, to have a policy or guidance in place, to ensure line managers have access to resources to help them manage a difficult situation and to support people back to work by showing flexibility wherever possible.

Over the past few months, the HR Team with support of Trade Union colleagues have been developing an HR Guide: Pregnancy Loss.

The new HR Guide will provide our employees and managers with lots of support and guidance and this also introduces up to 10 days paid leave for parents who experience pregnancy loss.

This new HR Guide will be presented at the 1st Tier Joint Consultative Committee (JCC) on the 22 September 2022 with launch and communication to employees planned for the 9th October 2022. The launch date of the 9th October coincides with the Miscarriage Association Baby Loss Awareness Week which is 9-15 October 2022.

We are pleased to be able to support such an important pledge, and anticipate that this will be welcomed by our employees.”

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

“To ask the Cabinet Member how much capital investment has been made in Ardrossan Academy over the last decade?”

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

“Analysis of the Council’s historic financial transactions is limited to the retention periods in place for information. Available information on investment in Ardrossan Academy dates back to 2015/16 and I can confirm that from 2015/16 to 2021/22 a total of £686,779 was invested in repairs and maintenance across this period.”

Councillor Kerr suggested that there had been no capital investment in the school and, as a supplementary question, asked what the Administration intended to do, given the delays to the new campus project, to address the poor conditions for pupils of Ardrossan Academy.

Councillor Larsen responded by suggesting that the Member was perhaps confusing capital and revenue investment. The Cabinet Member expressed the view that, having been in Administration for the previous five years, the Labour Group might itself have addressed the matter of Ardrossan Academy.

- (5) a question by Councillor Robertson to the Cabinet Member for Communities and Islands in the following terms:

“What avenues has this SNP Administration taken to encourage a higher uptake of the Scottish Government’s free bus travel passes for young people under the age of 22?”

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

“Since the launch of the free travel scheme for under 22s on 31 January 2022, 15,762 Travel Cards have been issued within North Ayrshire.

The application process is in the main a digital process, however a manual process and dedicated email address is available to provide alternative methods of application. On receipt of application, the Customer Services Team turn this around in 5-10 days.

In addition to the national campaign, promotion of this new scheme has mainly been via social media. In person events have been held throughout North Ayrshire in libraries, at Youth Events, Ayrshire College and Community Centres. The events have received positive feedback from attendees with families expressing their appreciation.

Engagement with our Schools has been key to increasing uptake. An easier and smoother method of application for parents was introduced in April 2022 and this has seen over 9,000 cards for free travel being produced.

Enhancements to the application process will evolve to ensure ease of application and the promotion and hosting of events will continue to ensure we reach young people far and wide who have yet to apply.”

Councillor Hill added to his written response by advising that, in terms of take-up levels across Scotland, North Ayrshire currently stood in third position, after Inverclyde and the City of Edinburgh councils.

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

“To ask the Cabinet Member how much flexible advanced manufacturing space the Council intends to build at i3 as part of the Ayrshire Growth Deal project?”

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

“An outline business case for the i3 advanced manufacturing flexible space programme was approved in June 2021 by governments as part of the Ayrshire Growth Deal programme. The business case approves Ayrshire Growth Deal funding for delivery of 97,000sqft of advanced manufacturing space. A Full Business Case is currently being developed for Phase 1 of the programme, which will develop 18,000sqft of advanced manufacturing space.”

Councillor Foster suggested that an issue with the Ayrshire Growth Deal was that the UK and Scottish Governments had agreed a fix sum to the AGD, leaving all of the risk in terms of rising costs with the Council and, as a supplementary question, asked if the Cabinet agreed with him that, unless the two governments started to work collaboratively with the three Ayrshire Councils, the AGD risked failing to deliver all of the anticipated benefits.

Councillor Gurney responded by recognising the current inflation crisis and agreeing that, with rising costs, less could be delivered. The Cabinet Member suggested that, when signing the Ayrshire Growth Deal, the previous Administration should have built this into the deal.

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

“To ask the Cabinet Member the revenue and capital costs of rolling out Universal Free School Meals to all primary school children in North Ayrshire and confirm how much funding the Scottish Government has provided to deliver that now delayed manifesto commitment?”

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

“Through engagement with Scottish Government in late 2021 officers in North Ayrshire Council carried out an assessment of dining facilities across the primary school learning estate and identified an indicative capital works cost estimate of £10.357m, being the impact on the learning estate infrastructure to deliver this policy. It is recognised that more recent cost volatility in the construction sector could further increase this estimate.

In terms of capital funding, included in the 2022/23 Budget settlement, an initial sum of £30m was set aside by the Scottish Government to support capital works nationally. These funds have yet to be distributed and the Scottish Government has committed to further engagement with local authorities as part of the planning for extending the universal provision to all primary 6 and primary 7 pupils.

From a prudent financial planning perspective, the sum of £10.357m was included in the Capital programme approved at Council in March 2022; however, the report noted that discussions were ongoing with Scottish Government to seek further capital funding.

Scottish Government revenue funding for 2022-23 to support the full-year impact of the Primary 4 (from August 2021) and Primary 5 (from January 2022) universal free school meal expansion totalled £990,000. Although yet to be confirmed, we would anticipate a similar allocation to cover the Primary 6 and Primary 7 roll-out. Based on current uptake levels, there is sufficient financial resource to cover costs; however, costs can fluctuate as they are influenced by various factors, such as food prices and uptake levels.”

Councillor McDonald referred to funding set aside by the previous Administration to roll out Universal Free School Meals to all primary school children in North Ayrshire and, as a supplementary question, asked whether the SNP Administration would use this funding for a roll-out at the earliest opportunity.

Councillor Larsen responded by confirming that the agreed budget would be fully utilised and suggesting that, if the Member wished to roll this provision out earlier than anticipated, he could, as part of the budget process, identify an appropriate funding source. Councillor Larsen concluded by advising that further information was anticipated from the Scottish Government with regard to the roll-out and that this should clarify matters.

(8) a question by Councillor Sweeney to the Cabinet Member for Communities and Islands in the following terms:

“With the Ardrossan Campus delayed for at least 12 months, can the Cabinet Member advise whether the Council remains committed to retaining the swimming pool at Auchendarvie Leisure Centre until any school campus is opened?”

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

“The Council’s strategy in relation to the swimming pool at Auchendarvie Leisure Centre is maintenance of the existing facility and its components until the school and community campus opens.”

Councillor Sweeney cited a number of repair and maintenance issues at Auchendarvie Leisure Centre which would only increase the longer the new campus project was delayed and, as a supplementary question, asked at what stage the Cabinet Member would consider making investment in Auchendarvie pool.

Councillor Hill responded by advising of the need to be guided by KA Leisure as the operator of the swimming pool. The Cabinet Member noted that it was not possible to say at this point when it might be necessary to invest specific sums but confirmed the Council's policy of doing everything practicable to keep the current facility open until the new pool was available.

(9) a question by Councillor Bell to the Leader of the Council in the following terms:

"In their response to June's Council motion on the changes to the X34/36 bus services, Stagecoach stated that they were due to meet the Council Leader on 19 August 2022. Can the Leader of the Council confirm that the meeting of the 19 August with Stagecoach took place and can they advise Council what outcomes they secured?"

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

"I can confirm that the meeting with Stagecoach took place on 19 August 2022. Stagecoach agreed that, whilst the X36 does remain under review, there will be no change to the current service provision for six months. A series of actions were discussed that may help sustain bus routes and make services more attractive to passengers. Stagecoach have committed to regular meetings with the Council to consider service performance, identify any opportunities to improve services and enter into discussions on proposed service changes. Stagecoach have agreed to work in partnership with the Active Travel and Transport team to promote bus travel, including raising awareness of ticketing options to provide best value for its customers."

Councillor Bell referred to issues which had arisen as a consequence of the Stagecoach timetable change in terms of pupils from Beith and Kilbirnie getting to and from the Garnock Campus. As a supplementary question, the Member asked whether public transport to and from the campus had been raised at the meeting and if the Leader could ensure that further discussions with Stagecoach and SPT included provision of suitable transport for young people from Beith and Kilbirnie attending the campus.

Councillor Burns responded by advising the meeting had been to discuss the service in general and the Garnock Campus had not been specifically raised. The Leader referred to a similar issue in her own Ward and acknowledged that the system was not working. Councillor Burns added that she was happy to meet to discuss what might be done to look at public transport in the longer term but noted that the decision of the previous Administration to increase the maximum distance for secondary school pupils walking to and from school to three miles, was also a factor.

(10) a question by Councillor Montgomerie to the Cabinet Member for Place in the following terms:

“Last November, a woman was tragically killed in a fire in one of the public toilets in Saltcoats. Today, the toilets remain closed and fenced off. Can the Cabinet Member advise when the Council intends to repair this toilet block and reopen it?”

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

“Following the tragic fire last year, the public toilet facilities at Melbourne Park, Saltcoats were closed. Following examination of the extent of the fire damage, the building has been confirmed as beyond economical repair. The building has been fenced off to ensure public safety and compliance with our insurance requirements.

The Council’s Property Management and Investment and Facilities Management teams are currently assisting insurance colleagues and the loss adjuster in the determining options for reinstatement of the facilities. Proposals will be presented to local Elected Members as soon as this work is concluded.”

As a supplementary question, Councillor Montgomerie asked whether the Cabinet Member agreed that the existing toilets should be demolished and a new facility built.

Councillor Davidson responded by reiterating that work was ongoing to determine options to reinstate provision and undertook to keep local Members advised of the outcome.

(11) a question by Councillor Kerr to the Leader of the Council in the following terms:

“At the last Council meeting, the Leader of the Council advised that the Ardrossan Ministerial Taskforce was due to meet on the 28 June 2022. At the time of submitting this question, minutes of any taskforce meeting on 28 June had not been published on Transport Scotland’s website. Can the Leader of the Council confirm that the taskforce met on 28 June, and can they advise Council what was agreed?”

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

“I can confirm the taskforce met on 28 June 2022. The minutes and actions have not been published yet on Transport Scotland website. A representative from Transport Scotland has confirmed that both minutes and actions cannot be shared publicly until approved by Transport Scotland. The documents will be published as soon as reasonably practical.

The link to the site can be issued when the documents become available.”

As a supplementary question, Councillor Kerr asked what the Leader was doing to ensure an agreement was put in place for the necessary infrastructure in order to secure the Ardrossan-Brodick route.

Councillor Burns responded by acknowledging the importance of the route to the communities of Ardrossan and Arran and noting that, as this was a complex capital project with rising costs in an unpredictable market, progress continued to be slow. However, the Leader confirmed that all of the partners involved in the task force were doing everything they could and advised that the Ardrossan Harbour project was currently at the tender design phase.

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

“To ask the Leader of the Council for an update on the Ardeer STEP bid, including whether the planned parliamentary reception at Westminster has been arranged?”

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

“UKAEA has concluded their assessment of all five sites in contention for STEP and submitted their report to the UK Government Department for Business, Energy and Industrial Strategy in May 2022. All five sites have been reported on and remain in contention.

With the support of Patricia Gibson MP, a delegation comprising the STEP Ardeer nomination team, North Ayrshire Council Elected Member representation, and Scottish Enterprise had arranged meetings with key UK Government influencers and decision makers to take place at the Palace of Westminster and House of Commons on Monday 11 and Tuesday 12 July 2022.

Following events of Wednesday 6 and Thursday 7 July 2022, culminating in the resignation of the Prime Minister and resulting in a subsequent Conservative party leadership contest, the decision was taken to postpone these meetings. It was agreed to review options once a new Prime Minister was in place and a new Cabinet convened. The new cabinet was announced on Tuesday 6 September.

The death of HM Queen Elizabeth on Thursday 8 September 2022 has resulted in all such considerations being placed on hold.

We currently await the outcome of the STEP assessment process, with a decision and announcement expected by the end of 2022.”

Councillor Foster referred to the delay in the Scottish Government reviewing its energy policy, meaning that its position on fusion remained neutral and, as a supplementary question, asked whether the Leader would commit to writing to the Scottish Government to ask them to review their energy policy as soon as possible in order to help bolster North Ayrshire's bid for STEP.

Councillor Burns responded by asserting that there was no point in writing to the Scottish Government given that work to review its energy policy was already underway and reminded the Member that there was a process, including consultation, to be followed. The Leader advised that a decision was due imminently and that the Scottish Government and Patricia Gibson MP had been supportive. Councillor Burns concluded by stating that she did not think that the Scottish Government's energy policy would be a major factor in the UK Government's consideration of North Ayrshire's STEP bid.

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

"In 2020, the last Administration used savings of £8.8million on refinanced loans to establish the Council's Investment Fund with the aim of providing upfront investment to support Community Wealth Building, climate action and improved local infrastructure. The Investment Fund has subsequently been topped up in the following two years. With money in the Investment Fund already committed to several projects such as the Council-owned solar farm at Nethermains, can the Cabinet Member advise how much remains uncommitted to a specific project in the Investment Fund?"

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

"I can confirm that all funds held in the Council's Investment Fund are fully committed to specific projects."

As a supplementary question, Councillor McDonald asked why the Administration was cutting back on Community Wealth Building initiatives to fund the cost-of-living package when other funding options were available.

Councillor Larsen responded by reassuring the Member that Community Wealth Building (CWB) work had not stopped and that there was also funding available through the Ayrshire Growth Deal to support officers in this work. The Cabinet Member advised that there was no detailed policy behind the Investment Fund and that everything being done within the Council was linked to CWB and ultimately had the community at its heart, including the provision of top-up payments to ensure basic food provision and crisis support for families in need.

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

“To ask the Cabinet Member whether the Council has contacted the new owners of the former Lonsdale site in Stevenston?”

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

“It has not been possible to make contact with the new owners so far. No change of ownership has been recorded on the Scottish Land Register for the former Lonsdale Site to date. When this position changes, the Council will make contact with the new owner to discuss their intentions for the site.”

Councillor Sweeney suggested that failure to bring the site into Council ownership represented a missed opportunity to tackle this eyesore and, as a supplementary question, asked the Cabinet Member if he would involve Elected Members in seeking to engage with the new owner.

Councillor Gurney responded by referring to the inaction of the previous Administration in addressing this issue and confirmed that he would support local Elected Members in seeking to ensure that blights on communities across North Ayrshire were tackled, subject to any legislative considerations which may apply.

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

“The Ship Inn at Irvine Harbourside has been closed since the start of the Covid pandemic. Renovation work on the building is ongoing with some reconfiguration of the business use within it. Despite being closed for more than two years, and a different use for parts of the building, the business rates assessment remains £71,000 a year.

What support will the Council provide to secure a reassessment of the business rates by the Ayrshire Valuation Joint Board given the historical significance of the Ship Inn to Irvine and the role the building will play in the Great Harbour project?”

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

“The assessment of the extent of any business use and rateable value of the property is a matter for the Ayrshire Valuation Joint Board and the ratepayer.

In terms of available supports, as the property has listed building status, 100% Empty Property Relief is available and has been awarded from the 1 April 2021 until the present time. Prior to this, as part of the pandemic support measures, during the full year of 2020/21, the property automatically received Retail, Hospitality & Leisure relief, again at 100%. At the point when the property reopens for trade, the ratepayer would be entitled to apply for 12 months Fresh Start Relief which again is available at 100% from the first date of trade.”

Councillor Foster referred to the importance of this building to the Irvine Harbour area and, as a supplementary question, asked whether the Cabinet Member would join him in writing to the Ayrshire Valuation Joint Board (AVJB) to ask it to reassess the rateable value of The Ship Inn.

Councillor Gurney responded by declining to write to the AVJB, on the basis that there were governance arrangements in place and Councillor Foster might instead wish to speak to the Council’s representatives on the AVJB. However, the Cabinet Member warned against the temptation to suggest changes for individual businesses. Councillor Gurney concluded his response by stating that responsibility for setting rates rested with the AVJB and that this was where it should stay.

17. Motions

In terms of Standing Order 15, submitted:

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

“That the Council:

1. Instructs the Chief Executive write to Buckingham Palace to express our deep sorrow at the passing of Her Majesty the Queen, Elizabeth II.
2. Further instructs the Chief Executive to write to His Majesty the King, Charles III, inviting him to visit North Ayrshire on his tour of the country as his mother, the late Her Majesty, The Queen, Elizabeth II, did so in 1956 alongside her late husband, Prince Phillip.”

There being no amendment, the motion was declared carried.

- (2) a motion proposed by Councillor Montgomerie, seconded by Councillor Sweeney, in the following terms:

“In 2019, following the consultation on the Council’s budget setting process, full Council approved plans to apply for Decriminalised Parking Enforcement powers and to introduce town centre parking charges to fund the enforcement regime.

Since that decision, we have experienced a global pandemic and are now facing a cost-of-living crisis which is affecting residents and local businesses.

Given the changing circumstances facing our residents and businesses, Council agrees to pause and review the implementation of DPE and parking charges and that a paper be brought to Cabinet to include the following considerations:

- The patronage of car parks affected by parking charges be resurveyed to review changes in parking behaviours since the pandemic.
- A review of the business case for DPE and parking charges, including revised projections on the cost of parking enforcement and projected income from parking charges.
- A review of the DPE and parking charges policy against council priorities that have emerged since the 2019 decision including but not exclusive to Community Wealth Building and the Regeneration Delivery Plan.
- Engagement with high street businesses on the impact of the pandemic and rising bills on their business and what further impact parking charges may have.
- An updated public consultation on DPE and parking charges considering the cost-of-living crisis.
- An assessment of the financial implications of delay or revocation of DPE and parking charges.

Council further agrees that Cabinet is instructed to consider the terms of the report covering the above and decide on whether to continue with DPE and parking charges and if appropriate withdraw the DPE application which is currently with Scottish Ministers for approval."

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

"Council agrees to proceed with Decriminalised Parking Enforcement scheme as agreed at the Council meeting on 25 September 2019 with the added proviso that parking charges will be waived for the first 30 minutes of each and every stay and be reviewed after one year. Modelling will be undertaken and a report brought back to Cabinet that will set out the financial implications."

As a further amendment, Councillor Davidson, seconded by Councillor Gurney moved as follows:

"In 2019 the Labour Administration proposed plans to apply for Decriminalised Parking Enforcement powers and to introduce car parking charges.

Since that decision, we have experienced a global pandemic and a growing cost-of-living crisis. In spite of this, in the council budget of March 2022, the Labour administration put forward a proposal to increase the proposed parking charges.

The proposal was agreed by full council on the basis that local circumstances would be taken into account when decisions are made on which car parks will have charges applied.

However, in recognition of the deepening financial crisis, Council agrees that a proposal will be brought to Cabinet to reconsider the level of charges proposed by Labour in the 2022/23 budget.”

Members asked questions of clarification in respect of the motion and amendments.

There followed debate and summing up.

On a division and a roll call vote, there voted for the amendment by Councillor Marshall, seconded by Councillor Gallacher, Councillors Billings, T. Ferguson, Gallacher, Glover, Inglis, Marshall, Donald L. Reid, Stalker and Stephen (9) and for the motion, Councillors Bell, Cullinane, S. Ferguson, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (10), Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McLean, McTiernan, Murdoch and Robertson abstaining, and the motion became the substantive motion.

On a further division and a roll call vote, there voted for the amendment by Councillor Davidson, seconded by Councillor Gurney, Councillors Billings, Burns, Collier, Davidson, Dickson, T. Ferguson, Glover, Gurney, Hill, Johnson, Larsen, Macaulay, Marshall, McTiernan, Murdoch, Robertson and Stephen (17) and for the substantive motion, Councillors Bell, Cullinane, S. Ferguson, Foster, Gallacher, Inglis, Kerr, McDonald, McLean, McPhater, Montgomerie, Donald Reid, Stalker and Sweeney (14), Councillor Donald L. Reid abstaining, and the amendment by Councillor Davidson, seconded by Councillor Gurney, was declared carried.

Accordingly, the Council agreed that, in recognition of the deepening financial crisis, a proposal be brought to Cabinet to reconsider the level of charges proposed in the 2022/23 budget.

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

“Council recognises the impact of the cost-of-living crisis on our residents and therefore agrees to request that the Integration Joint Board use their unearmarked reserves currently sitting at £7.248m to immediately remove all charges amounting to £1.9m of income annually for non-residential social care fees and charges.”

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

“The Council does not agree that the IJB should use £1.9m of unearmarked reserves to remove all charges for non-residential social care fees and charges and notes that the majority of charges for social care that remain in place are means tested and are based on individual affordability following a full financial assessment. In light of the cost-of-living crisis, the Council, therefore, requests that the IJB ensures that there are appropriate measures in place to support any service user who may struggle to meet fees and charges related to any service provided by or on behalf of the HSCP. This approach respects the role of the IJB in planning the allocation of resources across a range of services to support those most in need, rather than a blanket approach to direct financial support without consideration of the wider impact on other priorities and financial implications.”

As a further amendment, Councillor Johnson, seconded by Councillor Larsen, moved the direct negative to the motion.

On a point of order, Councillor Foster challenged the competence of an amendment moving the direct negative and received confirmation as to its competence and meaning which, in this context, was not to proceed with the terms of the motion.

Members asked questions of clarification in respect of the motion, including the recurring nature of the budget implications indicated by the use of the term “annually”.

There followed debate and summing up.

In terms of Standing Order 19.2, as there were two amendments, one of which implied negation, Members were first invited to determine whether to “proceed” or “not proceed”.

On a division and a roll call vote, there voted to “proceed”, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (9) and “not proceed”, Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McTiernan, Donald L. Reid and Robertson (12), Councillors Billings, S. Ferguson, T. Ferguson, Gallacher, Glover, Inglis, Marshall, McLean, Murdoch, Stalker and Stephen abstaining, and the decision not to proceed was declared carried.

Accordingly, in terms of Standing Order 19.2, the decision not to proceed having been carried by a majority of votes, the motion and remaining amendment fell.

- (4) a motion proposed by Councillor McDonald, seconded by Councillor Donald Reid, in the following terms:

“Council notes that since it was launched in April 2021, over 500 people in Ardrossan, Saltcoats and Stevenston have used the Better Off North Ayrshire service being piloted in the Three Towns.

Council further notes that clients have made financial savings of over £150,000 since the services launch and that a commissioned report by the Social Value Lab showed that for every pound of investment made in Better Off North Ayrshire, £6.44 of social value is created – with 82% of the value created for services users but 12% (around £200,000) for the public purse.

Given the cost-of-living crisis and the success of the Better Off North Ayrshire service in the Three Towns since its launch, Council agrees to request that a paper is presented to Cabinet in October 2022 to consider the further rollout of the Better Off North Ayrshire service at the earliest opportunity, making it accessible to residents in other localities.”

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

On a point of order, Councillor Murdoch queried the time available for consideration of the remaining business. Clarification was provided that, in terms of Standing Order 15.6, a period of 45 minutes was permitted to deal with each individual motion and not for motions as a whole.

There followed debate and summing up.

On a division and a roll call vote, there for the amendment, Councillors Billings, Burns, Collier, Davidson, Dickson, S. Ferguson, T. Ferguson, Gallacher, Glover, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, Marshall, McLean, McTiernan, Donald L. Reid, Robertson, Stalker and Stephen (22) and for the motion, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (9), Councillor Murdoch abstaining, and the amendment was declared carried.

Accordingly, the Council agreed not to proceed with the terms of the motion.

- (5) a motion proposed by Councillor Kerr, seconded by Councillor McDonald, in the following terms:

“Council congratulates Living Rent, Scotland’s tenants union, for its campaigning to secure a partial and temporary freeze on rent this winter to tackle the cost of living crisis.

Council notes that the Scottish Government's temporary freeze lasts until 31 March 2023 but social landlords will not implement new rent rates until 1 April 2023, making the announcement of a rent freeze applying to social rents superficial.

Council recognises the impact of the cost-of-living crisis on our residents and therefore agrees that the tenant consultation on the rent setting process for 2023/24 includes the option of a rent freeze, with any likely financial impacts outlined, for the duration of the next financial year."

As an amendment, Councillor Davidson, seconded by Councillor Gurney, moved as follows:

"Remove paragraph 2 and 3, and replace with:

"Council also congratulates the Scottish Government on its mandatory rent freeze until March 31 2023 and looks forward to consulting with our tenants on setting rents for 23/24, and believes that the collegiate decision-making process already in place serves tenants well."

There followed debate and summing up.

On a division and a roll call vote, there voted for the amendment, Councillors Billings, Burns, Collier, Davidson, Dickson, Gallacher, Glover, Gurney, Hill, Johnson, Larsen, Macaulay, McTiernan and Robertson (14) and for the motion, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (9), Councillors S. Ferguson, T. Ferguson, Inglis, Marshall, McLean, Murdoch, Donald L. Reid, Stalker and Stephen abstaining, and the amendment was declared carried.

Accordingly, the Council agreed:

- (a) to congratulate (i) Living Rent, Scotland's tenants union, for its campaigning to secure a partial and temporary freeze on rent this winter to tackle the cost of living crisis and (ii) the Scottish Government on its mandatory rent freeze until March 31 2023;
- (b) to look forward to consulting with our tenants on setting rents for 23/24; and
- (c) that the collegiate decision-making process already in place served tenants well.

18. Urgent Items

There were no urgent items.

19. Provost's Closing Remarks

The Provost closed the meeting by thanking Members for their participation.

The meeting ended at 5.45 p.m.

North Ayrshire Council
21 September 2022

At a Special Meeting of North Ayrshire Council at 6.00 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 (to Agenda item 3(1)), Marie Burns, Eleanor Collier, Joe Cullinane, Scott Davidson, Anthea Dickson, Stewart Ferguson, Todd Ferguson, Robert Foster, Tony Gurney, Alan Hill, Cameron Inglis, Margaret Johnson, Amanda Kerr, Christina Larsen, Shaun Macaulay, Tom Marshall, Nairn McDonald, Matthew McLean, Louise McPhater, Davina McTiernan, Jim Montgomerie, Donald Reid, Chloé Robertson, Ronnie Stalker and John Sweeney.

Present (Remote Electronic Participation)

Timothy Billings (from Agenda item 3(1)), Ian Murdoch and Donald L. Reid.

In Attendance

C. Hatton, Chief Executive; C. Cameron, Director (Health and Social Care Partnership); A. Sutton, Executive Director (Communities and Education); K. Yeomans, Director (Growth and Investment); T. Reaney, Head of Service (Commercial) (Place); M. Boyd, Head of Finance; and R. Lynch, Senior Manager (Legal Services), M. McColm, Senior Manager (Communications), L. Taylor, Team Manager (Legal Services), M. Anderson, Senior Manager (Committee and Member Services) and A. Little and C. Stewart, Committee Services Officers (Democratic Services)

Chair

Provost Dickson in the Chair.

Apologies

Scott Gallacher, John Glover, Jean McClung and Angela Stephen.

1. Provost's Remarks

The Provost welcomed those present to the Special Meeting of the Council, which had been called following a requisition in terms of Standing Order 3.4.

Thereafter, the Provost 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.

4. Motions

The Provost introduced this item of business, reminding Members that a period of 45 minutes was allocated for dealing with each motion, in terms of Standing Order 15.6.

In terms of Standing Order 3.4, a written requisition, signed by nine Members of the Council, had been submitted calling for consideration of the undernoted motions:

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

"Council recognises the impact of the cost-of-living crisis on our residents and therefore agrees to use £60,000 of unearmarked reserves to scrap all school meal debt in North Ayrshire."

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

"That Council, whilst agreeing that some residents are experiencing cost of living difficulties and noting that a Budget meeting is scheduled for 6 October 2022, determines that no decision is made to use unearmarked reserves until a report on the total cost, desirability, and the implications of using such, is submitted to the next full Council."

As a further amendment, Councillor Larsen, seconded by Councillor Burns, moved the direct negative of the motion.

There followed debate and summing up.

Councillor Billing left the Council Chambers during debate and summing up, re-joining the meeting remotely immediately prior to the vote, in which he took no part.

In terms of Standing Order 19.2, as there were two amendments, one of which implied negation, Members were first invited to determine whether to "proceed" or "not proceed".

On a division and a roll call vote, there voted to “proceed”, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (9) and “not proceed”, Councillors Burns, Collier, Davidson, Dickson, S. Ferguson, T. Ferguson, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, McLean, McTiernan, Murdoch, Donald L. Reid, Robertson and Stalker (18), Councillor Billings abstaining, and the decision not to proceed was declared carried.

Accordingly, in terms of Standing Order 19.2, the decision not to proceed having been carried by a majority of votes, the motion and remaining amendment fell.

(2) a motion proposed by Councillor McDonald, seconded by Councillor McPhater, in the following terms:

"Council recognises the impact of the cost-of-living crisis on our residents.

Council acknowledges that people on low incomes are the most likely to use pre-payment meters and therefore pay higher energy tariffs than those on direct debits.

Council notes that twenty clients of the Better Off North Ayrshire service, currently being piloted in the Three Towns, had self-disconnected their pre-payment meters as they could not afford a top-up and further notes the concerns of charities such as Citizens Advice Scotland that self-disconnections will increase significantly this winter.

Council therefore agrees to use £150,000 of unearmarked reserves to establish a pre-payment meter support fund to support residents who would otherwise face self-disconnection this winter due to rising costs."

As an amendment, Councillor Larsen, seconded by Councillor Johnson, moved as follows:

"Council recognises the impact of the cost-of-living crisis on our residents.

Council acknowledges that people on low incomes are the most likely to use pre-payment meters and therefore pay higher energy tariffs than those on direct debits.

Council notes that twenty clients of the Better Off North Ayrshire service, currently being piloted in the Three Towns, had self-disconnected their pre-payment meters as they could not afford a top-up and further notes the concerns of charities such as Citizens Advice Scotland that self-disconnections will increase significantly this winter.

Council recognises the £450,000 allocated to energy crisis support by Cabinet at its meeting on 23 August 2022, offers support to residents, including those on pre-payment meters, who would otherwise face self-disconnection this winter due to rising costs. Council agrees it would, therefore, be imprudent to draw funds from the Councils unearmarked reserves at this time when an Energy Support package, 3 times the value, is already in progress to be rolled out across the Authority".

As a further amendment, Councillor T. Ferguson, seconded by Councillor Marshall, moved as follows:

"That Council, recognises that some residents are experiencing challenges due to cost-of-living difficulties; notes that there is a Budget meeting scheduled for 6 October 2022; further determines that no decision is made to use unearmarked reserves until a report on the total cost, desirability, and the implications of using such is submitted to the next full Council."

Members asked questions of clarification of the motion and amendments.

There followed debate and summing up.

On a division and a roll call vote, there voted for the amendment by Councillor Larsen, seconded by Councillor Johnson, Councillors Billings, Burns, Collier, Davidson, Dickson, S. Ferguson, T. Ferguson, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, Marshall, McLean, McTiernan, Murdoch, Donald L. Reid, Robertson and Stalker (20) and for the motion, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (9), and the amendment became the substantive motion.

Councillor Murdoch left the meeting at this point.

On a further division and a roll call vote, there voted for the amendment by Councillor T. Ferguson, seconded by Councillor Marshall, Councillors Billings, S. Ferguson, T. Ferguson, Inglis, Marshall, McLean and Stalker (7) and for the substantive motion, Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McTiernan, Donald L. Reid and Robertson (12), Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney abstaining, and the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to recognise the impact of the cost-of-living crisis on our residents;
- (b) to acknowledge that people on low incomes are the most likely to use pre-payment meters and therefore pay higher energy tariffs than those on direct debits;
- (c) to note (i) that twenty clients of the Better Off North Ayrshire service, currently being piloted in the Three Towns, had self-disconnected their pre-payment meters as they could not afford a top-up and (ii) the concerns of charities such as Citizens Advice Scotland that self-disconnections would increase significantly this winter;

- (d) to recognise the £450,000 allocated to energy crisis support by Cabinet at its meeting on 23 August 2022, offered support to residents, including those on pre-payment meters, who would otherwise face self-disconnection this winter due to rising costs; and
- (e) that it would, therefore, be imprudent to draw funds from the Council's unearmarked reserves at this time when an Energy Support package, 3 times the value, was already in progress to be rolled out across the Authority.

5. Urgent Items

There were no urgent items.

6. Provost's Closing Remarks

The Provost closed the meeting by thanking Members for their participation in what had been a long meeting.

The meeting ended at 6.55 p.m.



PROVOST'S REPORT

For the period covering: 12 September – 23
October 2022

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

PROVOST'S REPORT

For the period covering: 12 September – 23 October 2022

Since the last meeting of the Council, I have taken part in several events, including:

Tidelines Book Festival, Harbour Arts Centre, 25 September

On 25 September, I attended the Tidelines Book Festival in the Harbour Arts Centre, Irvine. The Festival is a community-run charitable trust bringing world-class literary events to Ayrshire. The Festival had a wide and varied programme of literary content and I was delighted to take part in one of these events with three of the country's top crime writers, Olga Wojtas, Caro Ramsay and Douglas Skelton.

Staff Wellbeing Centre, Opening Ceremony, Ayrshire Central Hospital, Irvine, 29 September

On 29 September I attended the Opening Ceremony of the Staff Wellbeing Centre at Ayrshire Central Hospital. I also received a tour of the facility which is an excellent resource for our much-valued staff working in the NHS.

Seniors Celebrating Success Ceremony, Auchenharvie Academy, Stevenston, 29 September

On the evening of 29 September, I attended Auchenharvie Academy's Senior Prizegiving Ceremony. It was a pleasure to be given the opportunity to acknowledge the achievements and talents of our young people which are replicated throughout our schools in North Ayrshire.

Scots Opera "The Seal Woman", Harbour Arts Centre, Irvine, 30 September

I was delighted to attend the Scots Opera Project production of "The Seal Woman" in the Harbour Arts Centre, Irvine on 30 September. The Ayrshire Opera Experience and the Scots Opera Project are a new arts organisation which aims to bring opera to the wider community.

Official Opening of The Lochshore Park Hub, Lochshore, 4 October

On 4 October, I was delighted to officially open the Lochshore Park Hub. The Hub is one of the first projects to be realised in phase 1 of Lochshore Park. This is a fantastic and impressive development, and it was a great honour for me to open it. The potential of Lochshore Park is exciting, there is so much scope for it and it promises to become a popular destination for the local community and visitors in the months and years ahead.

Centenary Service, War Memorial, Kilbirnie, 7 October

I, along with representatives from the local community, attended the centenary service of Kilbirnie War Memorial on 7 October. I was honoured to cut the ribbon to mark the occasion. The memorial was dedicated to families in the local area who were sadly lost in The Great War.

Kirking of Deacon Convener of Irvine Incorporated Trades, Old Parish Church, Irvine, 9 October

On 9 October, the Depute Provost attended the Kirking of the Deacon Convener of Irvine Incorporated Trades. A procession left Irvine Town House, with many local organisations taking part, and the Church Service in Irvine Old Parish followed this.

Meeting of the Scottish Provosts' Association, CoSLA Offices, Edinburgh, 21 October

On 21 October, the Depute Provost attended a meeting of the Scottish Provosts' Association in Edinburgh. The purpose of the meeting was to elect office bearers for the coming term. The meeting was open to all Provosts and Depute Provosts in Scotland. The Association provides great networking opportunities.

Festival of Juvenile Solo Piping, Auchenharvie Academy, Stevenston, 22 October

On 22 October, the Depute Provost attended the Festival of Juvenile Solo Piping in Auchenharvie Academy, Stevenston. The Festival, which is run by volunteers, provided a variety of competitions on the day. It was well-attended and attracted entries from young people throughout Ayrshire and beyond. Congratulations go to the volunteers who work tirelessly behind the scenes to deliver this quality annual piping event.

PROVOST'S REPORT

...



A handwritten signature in blue ink that reads "Anthea Dickson".

Councillor Anthea Dickson
Provost North Ayrshire Council



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

LEADER'S REPORT

For the period covering: 12 September – 23
October 2022

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

LEADER'S REPORT

For the period covering: 12 September – 23 October 2022

LIVING WAGE ANNOUNCEMENT, 22 September

On 22 September, I was delighted to announce that North Ayrshire Council will pay the new Living Wage rate of £10.90 per hour, a 10 per cent increase on the previous figure of £9.90. This is seven months earlier than usual with many other organisations and businesses not adopting the new figure until April 2023.

With many families throughout North Ayrshire struggling with the cost-of-living crisis, North Ayrshire Council has introduced a series of measures that will help many in our community. Ensuring the lowest earners get the support they need, when they need it most, is important and this new improved rate will help make a difference to Council staff earning the Living Wage.

1st TIER JOINT CONSULTATIVE COMMITTEE MEETING, 22 September

I attended a meeting of the 1st Tier Joint Consultative Committee on 22 September followed by the Health and Safety Group meeting. It was proposed and agreed that the Leader of the Council will continue to chair future meetings.

Attendees received an overview on Health and Safety from James Walls (Team Manager, Health and Safety) followed by quarterly Health and Safety reports from various directorates in North Ayrshire Council.

AYRSHIRE ECONOMIC JOINT COMMITTEE MEETING, 26 September

On 26 September I attended a meeting of the Ayrshire Economic Joint Committee where attendees discussed two Ayrshire Growth Deal Audit Reports.

IRVINE LOCALITY PARTNERSHIP MEETING, 26 September

I attended a meeting of the Irvine Locality Partnership on 26 September at Irvine Town House. It was a full agenda with attendees receiving updates on the Child Poverty Action, Local Outcomes Improvement Plan, Irvine Youth Forum and Active Schools. The Partnership also received applications for Community Investment Funding. I am delighted to say that the sum of £100,00 was approved by the Partnership, and subsequently Cabinet, to Irvine Tennis Club towards upgrading works to the current tennis courts which are in a state of disrepair. This will

promote mental and physical wellbeing for many in the area as well as creating volunteering opportunities for individuals.

CHILD POVERTY ACTION BOARD MEETING, 28 September

I was delighted to chair a meeting of the Child Poverty Action Board on 28 September. Attendees received updates on the Fairer Food Network, a presentation on Maximising Income from Benefits, the Child Poverty Report 201-22 and Action Plan 2022-23 and the NHS Ayrshire and Arran Child Poverty Action Plan.

The Board also considered the Output report from the “No Wrong Door” Workshop held on 30 August at Redburn Community Centre and agreed future strategic themes which will include, Employability, Childcare and Food.

The next Board meeting will be held on 16 November.

COMMUNITY WEALTH BUILDING EXPERT PANEL MEETING, 28 September

On 28 September I attended a meeting of the CWB Expert Panel where attendees received a North Ayrshire CWB Progress Update, an update on CWB and Plural Ownership, a discussion regarding the opportunities and challenges and a CWB and Cost of Living Crisis Update.

The Panel were also updated on general CWB activity in North Ayrshire including a visit to Ayrshire on 31 August by the Scottish Government Minister for Public Planning, Finance and Wealth, Tom Arthur MSP. He visited the Lochshore site and a local company, Ayrshire Blinds, a family-run business in Irvine which has been supported by the Ayrshire Growth Deal CWB fund.

My thanks again to the Panel for their invaluable input and to Sarah Deas from the Wellbeing Economy Alliance for chairing the meeting.

OPENING OF NHS STAFF WELLBEING HUB, AYRSHIRE CENTRAL HOSPITAL, 29 September

I was delighted to be invited along to the opening of the NHS Staff Wellbeing Hub at Ayrshire Central hospital on 29 September. Guests were also given a tour of the centre, which will provide excellent facilities in looking after the mental and physical wellbeing of our valued NHS staff.

COSLA LEADERS, 30 September

On 30 September I attended a meeting of COSLA Leaders to discuss a packed Agenda including the following items:

Local Government Finance Update

COSLA Plan 2022-2027

National Care Service

Winter Planning

Programme for Government 2022

Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill

The Draft COSLA Plan 2022-27 represents a high-level framework setting out the strategic direction and ambitions for COSLA during the current Local Government term (2022-27). Work has focused on further developing the six priorities in the Draft Plan, taking account of the ongoing challenges facing Local Government, including the impact the 'cost-of-living' crisis is having on low-income families and the overall 'cost crisis' that is increasing costs across all services that Local Government provide. The six priorities for COSLA will be:

- Strengthen Local Democracy
- Secure Sustainable Funding
- Improve the Wellbeing of Individuals, Families & Communities
- Enhance Education & Support for our Children & Young People
- Deliver a Just Transition to a Net Zero Economy
- Support the Most Vulnerable in our Communities

NHS BOARD MEETING, 3 October

I attended an NHS Ayrshire and Arran Board meeting on 3 October where attendees received updates on the following committees:

Corporate Governance – Board committees

Healthcare Governance

Information Governance

Performance Governance

There was also discussion around various reporting relating to performance and financial management. The Board also received an update on child poverty issues and assurance that the Board is meeting its statutory duty.

OPENING OF LOCHSHORE VISITOR HUB, 4 October

On 4 October, I was delighted to attend the official opening of the wonderful Lochshore Visitor Hub. The project has been a long-term and strategic regeneration project which seeks to bring 65 hectares of vacant and derelict land back into productive use. It was the site of a former steelworks and was purchased by the Council from Scottish Enterprise in 2021.

In addition to a new active travel route, the new hub will facilitate a wide range of activities for everyone to enjoy, including the establishment of the Friends of Lochshore Park Group, which will carry out practical conservation tasks in and around Lochshore Park. It is hoped that participation by the group will create opportunities for training and encourage confidence in the volunteers through development of skills and working together as part of a community.

Congratulations to the Economic and Regeneration Team for all their hard work in delivering this excellent project.

TACKLING CHILD POVERTY, NO WRONG DOOR MINI PUBLIC ENQUIRY, 5 October

On 5 October I went along to Redburn Community Centre in Irvine for the first in a series of Mini Public Enquiries as part of the work by the Tackling Child Poverty Board. This session followed on from previous work undertaken by partners, where they previously discussed how we can join up the support we have available. The aim is that no matter which way our residents choose to contact our Council, the NHS and our partners, they will be confidently directed to all relevant help and supported to access it. In addition, our partners will share information so we can better understand how best to support all our residents.

It was a successful event and I would like to thank all the partners, community groups, Elected Members and officers who attended and contributed to the discussions to identify which areas we can improve on.

COMMUNITY WEALTH BUILDING CONFERENCE, 7 October

On 19 October, it was a pleasure to welcome a range of invitees, including the Scottish Government Minister for Public Finance, Planning and Community Wealth, Mr Tom Arthur MSP, to Scotland's first Community Wealth Building Conference held at Saltcoats Town Hall.

In May 2020 North Ayrshire Council became the first CWB Council in Scotland and since launching the strategy there has been significant interest in our approach from a range of

individuals and organisations including other Scottish local authorities, Anchor Institutions and the Third Sector, demonstrating that CWB is gaining more attention both locally and nationally.

The conference provided the opportunity to hear first hand about some of the Community Wealth Building activities underway in North Ayrshire and the wider Ayrshire region as well as ask questions and speak to officers and community groups involved in these projects.

Attendees were also fortunate to hear from a range of speakers including the SG Minister, Mr Tom Arthur, followed by a recording from Ted Howard, Co-Founder and President of the Democracy Collaborative, an organisation who have been pioneering Community Wealth Building for almost two decades. Other participants included Sarah Deas from the Wellbeing Economy Alliance and Chair of the North Ayrshire Community Wealth Building Expert Advisory Panel who chaired a session on how CWB can be used by policymakers to help address some of the challenges facing local economies. A separate session was also chaired by Sarah McKinley from the Democracy Collaborative about the importance of seeing Community Wealth Building as an economic development model. Thanks also to speakers Stuart MacDonald from the Centre for Local Economic Strategies (CLES) and of course, to Neil McInroy from the Democracy Collaborative, who has been on North Ayrshire Council's CWB journey from day one.

The Conference was well received by delegates who found it hugely interesting and productive. I would like to say a special thanks to Caitriona McAuley, Head of Economic Development and Regeneration at North Ayrshire Council and her team of officers for planning and executing such a successful event.

CHALLENGE POVERTY WEEK, 5 – 11 October

This was the seventh consecutive year that North Ayrshire Council supported the Poverty Alliance's national "Challenge Poverty Week" campaign. I would like to thank the Locality Chairs for taking time to do short videos highlighting some of the great work that is taking place within their respective Localities to combat poverty.

I would also like to thank partners and teams who helped to promote the range of services that are available to those seeking help.

I am pleased to say that the Council has now set up a designated page on our website which contains all the information and links to websites and organisations that can help if you are struggling with the cost-of-living. It has sections on energy, benefits, food and clothing, health and wellbeing and a section dedicated to our business community.

The website is now up and running and can be found here:

www.northayrshire.gov.uk/CostOfLiving

***ELECTED MEMBER DEVELOPMENT SESSION, NATIONAL CARE SERVICE,
20 October***

On 20 October I attended a development session for North Ayrshire Elected Members to receive an update on the National Care Service Bill.

A handwritten signature in blue ink that reads "Marie Burns".

Councillor Marie Burns
Leader of North Ayrshire Council

NORTH AYRSHIRE COUNCIL

02 November 2022

North Ayrshire Council

Title: Medium Term Financial Outlook 2023/24 to 2025/26

Purpose: To outline the financial challenges facing the Council over the medium-term in order to help inform the development of budget proposals.

Recommendation: That Council considers the financial position identified in the Medium-Term Financial Outlook 2023/24 to 2025/26, notes the scale of the financial challenges which the Council faces over the medium term and brings forward proposals to set a balanced budget for 2023/24.

1. Executive Summary

- 1.1 Local authorities continue to operate in an increasingly complex, challenging, and uncertain environment with public sector funding not keeping pace with the increasing costs and demand for services, with challenges continuing through the legacy impact of the pandemic and more recently through the significant cost impact of inflation. In this climate it is important that Councils continue to take both a medium-term and long-term view, however it is recognised the current level of volatility will require immediate focus on the short-term impacts. The Council's Long-Term Financial Outlook was updated and presented to Council on 16 December 2020. This is the cornerstone of the Council's strategic financial framework and establishes a sound basis for the development of the Medium-Term Financial Outlook and subsequent annual budgets, enabling the Council to address the challenges it faces and best align resources to key priorities.
- 1.2 The Long-Term Financial Outlook 2021/22 to 2030/31 identified an estimated funding shortfall of £120m over the next ten years which the Council requires to address. This is based on best estimates at the time with sensitivity analysis highlighting the implications of changes to the underlying assumptions. It is recognised that further recent cost impacts will change this position over the long term, with an update planned during 2023/24.
- 1.3. The Medium-Term Financial Outlook for the period 2023/24 to 2024/25 draws on the same data and projections as the Long-Term Financial Outlook, however, incorporates several more recent updates including the impact of inflation, output from the Scottish Government Spending Review and assumptions related to both Scottish Government and UK Government policy. Importantly, the Scottish Government Spending Review, published in May 2022, has indicated a broadly flat cash funding position for Local Government over the medium-term. When this funding landscape is

set within the context of significant rising cost pressures, based on current planning assumptions around financial pressures, Scottish Government funding levels and Council tax funding this has identified a funding gap of £53.314m (including the HSCP), £35.016m (excluding the HSCP) over the next 3 years which must be addressed as part of the Council's Medium-Term Financial Plan.

- 1.4 To address the financial challenge the Council must examine its cost base and carefully consider the allocation of available resources across Council priorities. Due to the scale of the challenge faced, minimising impacts on communities and services will be extremely challenging.
- 1.5. Elected members have previously received briefings on the contents of the Medium-Term Financial Outlook and officers are currently developing proposals to support the Medium-Term Financial Plan for 2023/24 to 2025/26, which will be presented to Council for consideration on 1 March 2023.

2. Background

Long-Term Financial Outlook (LTFO)

- 2.1 The Long-Term Financial Outlook 2021/22 to 2030/31 was approved at Council on 16 December 2020 and outlined the potential impact of:
 - The strategic financial framework.
 - Local issues for North Ayrshire including current and anticipated demographic and health profiles, employment and levels of deprivation and the impact these will have on the Council's income and cost base.
 - Global and national economic performance.
 - Factors affecting Scottish Government funding and funding for Local Government.
 - The financial outlook for North Ayrshire including funding and expenditure requirements.
 - A review of the Council's balance sheet including assets, debt, future liabilities and reserves; and
 - The strategic response required by the Council to ensure future financial sustainability.

Key Messages

- 2.2 The LTFO highlighted several key messages in relation to the anticipated financial environment and the potential impact on funding and expenditure requirements of the Council over the next 10 years, including:
 - Demographic Changes – North Ayrshire's overall population is forecast to reduce by 3.9% over the period, with reductions in the numbers of children and working

age adults being offset by a projected 18.1% increase in Older People. At the same time the percentage of North Ayrshire residents living with disabilities or long-term health and mental health issues is projected to be higher than the Scottish average. This will result in significant changes to demand for services, particularly in Communities and Health and Social Care.

- **Economic Impacts** – North Ayrshire’s economy has taken longer to recover from previous challenges than other areas, with pre-Covid economic activity still below pre-2008 levels. The percentage of adults claiming out of work benefits is 40% higher than the Scottish average and 26.8% of North Ayrshire’s SIMD datazones are within the 15% most deprived in Scotland.
- **Other Expenditure Requirements** – In addition to the demographic and economic impacts on service demands, the expenditure requirements of the Council will be subject to further pressures in relation to pay and price inflation and the revenue implications of the Council’s ambitious General Services Capital investment Programme, more recently through increased costs of borrowing, which will result in increased budget pressures across the full timeframe of the LTFO.
- **External Funding** – The economic impact of the pandemic on the UK and Scottish economies is expected to result in real terms reductions in public expenditure budgets. Combining the anticipated reduction in the Scottish block grants with the potential impact of any shortfall in the recovery of devolved revenues and the continued direction of funding to support Scottish Government funding priorities within Health, Social care and Education sectors, the LTFO is projecting ongoing challenges to the overall local government funding position, resulting in anticipated reductions in Aggregate External Finance allocations to North Ayrshire Council of 1% per annum in the medium term.
- **Council Tax Income and the Use of Reserves** – As funding from the Scottish Government in relation to core local government services reduces, North Ayrshire Council will become increasingly reliant on income from Council Tax and internal reserves to fund service delivery. The LTFO assumes a 3% per annum Council Tax increase over the period. However, it is anticipated that the Council’s Useable Reserves will be reduced to the minimum recommended levels by 2024; and
- **The Financial Challenge** - The LTFO identifies an estimated funding shortfall of £120m over the next ten years. This is based on best estimates with sensitivity analysis highlighting that a 1% change in the underlying assumptions could result in this increasing to as much as £228m over the same period. It is recognised that further recent cost impacts will change this position over the long term, with an update planned during 2023/24.

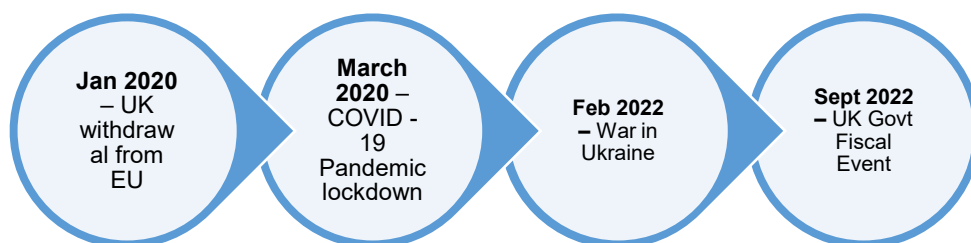
The Medium-Term Financial Outlook

- 2.3 The Medium-Term Financial Outlook for the period 2023/24 to 2025/26 draws on the same data and projections as the Long-Term Financial Outlook, however, brings into sharp focus the short and medium-term impacts from recent key global, UK and national events, all of which have contributed to an extremely challenging financial landscape for citizens, communities, and local government finance. The report examines the medium-term impact arising from:

- The Economic Outlook
- The Scottish Landscape including factors affecting Scottish Government funding and funding for Local Government
- The financial outlook for North Ayrshire including the anticipated demographic profile and the impact these will have on the Council's cost base, key costs pressures and funding anticipated from Government Grant, Council Tax and Reserves
- The Health and Social Care Partnership
- The Council's approach to ensure future sustainability and alignment of resources with key priorities; and
- The Capital Investment Programme.

Economic Outlook

- 2.4 Funding for public services is inextricably linked to the performance of global and national economies and more recently through the volatility in financial markets. Several key events have contributed to what has been and will likely continue to be a very turbulent period for the economy. These events include;



- 2.5 In 2022 and through to 2023 households will continue to experience reduced disposable income as the result of a variety of factors, a number of which also contribute to additional cost pressures for local government.

Inflation

- 2.6 Inflation to September 2022 sits at 10.1% based on the CPI measure. The forecast is for inflation to rise to 11.7% by January 2023. Forecasters advise this would have been higher, however, the recent UK Government intervention to Introduce an Energy Price Guarantee Scheme for households (typical cap at £2,500) and Energy bill relief scheme for businesses, has dampened the forecast. Current indications are for inflation to remain high through the early part of 2023, then falling towards the end of 2023. The biggest price rises have been connected to basic goods, like food and energy and costs of materials through the construction sector. In summary;

- Energy costs – over 54% increase in 2022.
- Food costs – 9.8% increase in 2022 when compared to previous year
- Fuel costs – up to 80% increase in fuel costs
- Cost of materials – Building Cost Information Service (BCIS) report 20% + annual increase in costs for construction sector

2.7 It is important to also note the impact rising inflation has on many contracts that are linked to inflation indices. This again will have a material effect on the financial pressures facing local government.

Public Sector Pay

- 2.8 Trade unions have pushed for public sector pay to rise more in line with current inflation levels. From a local government perspective, a general 5% increase in 2022/23, with greater levels of increase applied at the lower grades equating to an overall increase of around 6.5% to the pay bill, has been accepted by 3 of the bargaining groups. At the time of writing, negotiations continue with the teacher unions, with strike action a real risk. Although the Scottish Government has provided a level of funding to support the pay negotiations, the level of increase requires local authorities to fund around 3.60% of the 6.50% increase in the pay bill.
- 2.9 Within the context of the local government funding landscape, this level of pay increase presents significant affordability challenges to local government finances in 2022/23 and will increase the base budget requirements in 2023/24, however, it should also be stressed, with inflation forecasts remaining high through the 1st 2 quarters of 2023, there remains a significant risk that pay negotiations for 2023/24 will again centre around similar levels of increase. Without further Scottish Government funding support, absorbing this level of increase will prove extremely challenging.

Interest Rates and Taxation

- 2.10 Recent Interest rate rises have included 1.25% to 1.75% and more recently to the current Bank of England base rate position of 2.25%. The Bank of England Monetary Policy Committee next meets on 3 November 2022. Economic forecasters predict that interest rates could rise to around 4% by the end of 2022, with further increases predicted to around 5.0% by the 2nd quarter of 2023 to tackle inflation.
- 2.11 The UK Government mini-budget announcement on 23 September 2022 included several economic measures from cuts to the basic rate of tax, removal of top rate of tax, energy support measures, removal of the 1.25% national insurance increase and removal of the planned increase in corporation tax. The intention behind the policy was to stimulate economic growth, however, the reaction from the financial markets impacted negatively on the value of sterling and led to an increase in the rates associated with government bonds (Gilts). At the time of writing most of the tax cutting measures have already been reversed or deferred. From a household perspective the position has impacted on available mortgage rates and in terms of local government borrowing through the Public Works Loan Board (PWLb), the increase in Gilt yields has increased interest on borrowing by over 200 basis points (2%). Current forecasts indicate that rates will remain high over the next 3 years, however, there remains a high level of volatility in the financial markets. What also remains unclear at this time is whether the reversal of measures will also be

accompanied with public spending cuts. This looks likely and could further impact the level of block grant passported through to Scotland.

The Scottish Landscape

- 2.12 The Scottish Government (SG) Spending Review published in May 2022 reinforced SG priorities of reducing child poverty, addressing the climate crisis, building a strong and resilient economy, and helping public services recover from the pandemic. The current cost of living crisis and war in Ukraine has further influenced priorities and placed additional pressure on government finances. As things currently stand, portfolios including Health and Social Care and Social Justice and Housing will see planned annual growth in cash terms over the years to 2026-27. Importantly, however, from a local government funding perspective, the SG has indicated a broadly “flat cash” position up to 2025-26, with growth expected in 2026-27.

	2022-23	2023-24	2024-25	2025-26	2026-27
Local Government	10,616	10,616	10,616	10,616	10,716

- 2.13 Although not a budget, the SG Spending Review is an indication of the level of overall resource allocated to the local government portfolio. When compared against the current planning assumption of a 1% grant reduction for North Ayrshire Council, this is considered a prudent assumption as the reducing population demographic relative to other local authority areas will continue to reduce the proportionate share of funding to North Ayrshire Council. It is also unclear if the funding of new SG policy areas will be met from this portfolio or transferred from another portfolio. An example of which is the expansion of universal free school meals to primary 6 and primary 7 pupils. If this is the case, then this will place further pressure on available funding. The SG Spending Review presents a very challenging funding landscape for local government.

- 2.14 On 7 September 2022 the Deputy First Minister (DFM) announced some details of an Emergency Budget, with a commitment to release full details later in October 2022. The headline announcement was set against the backdrop of the cost-of-living challenges (including energy), rising inflation, rising interest rates, public sector pay negotiations and new commitments linked to support for Ukrainian citizens. The DFM made clear the SG Programme for Government commitments for increasing the Child payment in November and universal free school meal expansion for P6 and P7 pupils, however, the areas of saving identified included;

- £53m reduction in employability funding
- £56m generated by the Scotwind clearing process, to be utilised and re-instated at later date
- £33m use of ring-fenced agricultural funds
- £37m reduction in concessionary fares

The SG state that they have identified areas with least impact on public services and individuals. Details of further savings will follow as well as any impact to local authorities.

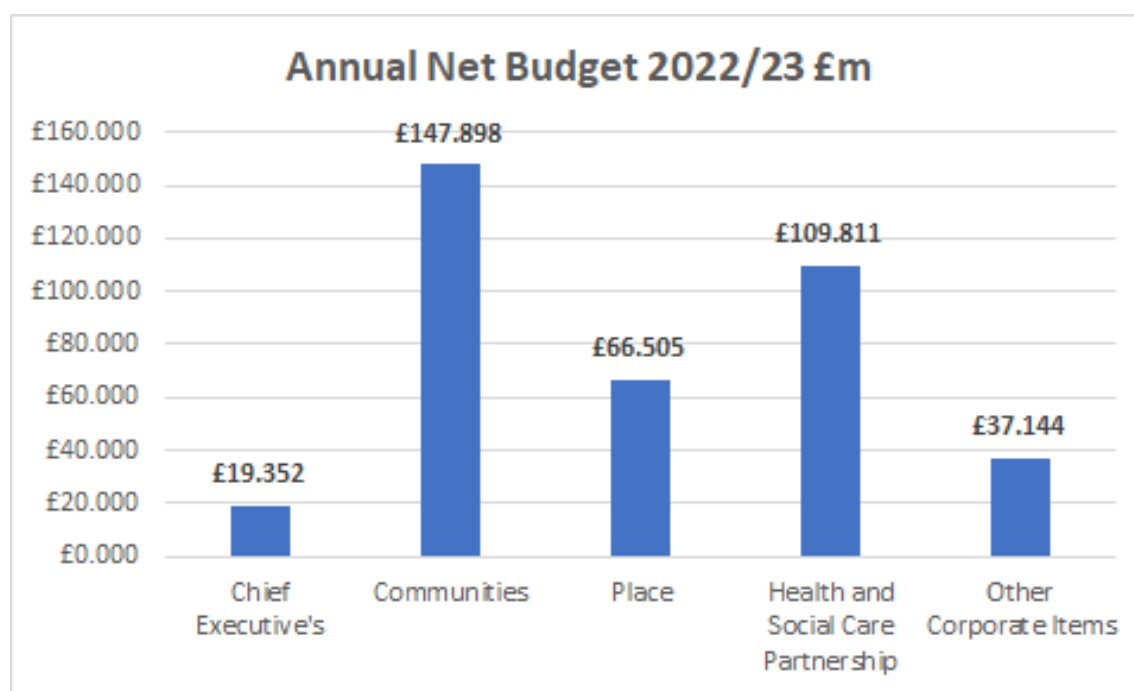
- 2.15 From the information available to date, the short and medium-term economic outlook for local government finance presents a very challenging picture. The SG continue to engage with local authorities via COSLA across a range of potential areas of “financial flexibility”. The extremely pressing desire from local authorities is to have more autonomy over the use of resources and to deploy those resources based on local priorities and needs, without restrictions or conditions from Scottish Government across particular policy areas. Although not a funding solution this would at least provide local authorities with more flexibility around significant areas of the budget. Some of the key areas of discussion include;
- Resources passported to Integration Joint Boards
 - Teacher numbers and pupil: teacher ratios / national standards
 - Early learning and childcare resources,
 - Council tax levels
 - Visitor levy
- 2.16 The SG have recently confirmed details of accounting based financial flexibilities. The specific areas available to local authorities were initially developed during the pandemic as a mechanism to help address additional cost pressures and lost income. They include;
- Loans fund principal repayment holiday
 - Flexible use of capital receipts
- 2.17 Use of such flexibilities is in effect the re-direction of resources in place to fund the capital programme, for use to help address revenue pressures. However, in view of the significant cost pressures faced by the capital programme, it would be prudent at this time to retain the resources in supporting delivery of the capital programme.
- 2.18 In September 2022, the SG issued an updated Finance Circular to all local authorities titled “Accounting for Service Concession Arrangements, Leases and Similar Arrangements.” This guidance includes the method of accounting for PPP/PFI contracts and introduces a change in accounting to reflect such contracts in a manner consistent with accounting for other local authority fixed assets and to base this accounting over the useful economic life of the asset, rather than the term of the contract. It is recognised that the retrospective implementation of this guidance could generate a potentially significant level of “one-off” saving to the Council and a far reduced level of recurring saving. Due to the significance of this change a report will be brought to Council on 14 December 2022 to consider the implications of this change and to seek approval for its implementation.
- 2.19 Although the use of “financial flexibilities” is important in helping to manage the financial resources of the Council, the case for financial sustainability and fair funding for local authorities must continue to be recognised, especially when the level of SG general grant allocation is set within the context of significant inflationary pressures, legacy pandemic pressures and demographic pressures. It is vital that productive dialogue around local government funding continues. The SG

commitment to a National Care Service by 2026 will further impact this position, with Council HSCP budgets representing almost one third of total Council expenditure.

Financial Outlook for North Ayrshire Council

Allocation of Resources

- 2.20 The Chart below summarises the allocation of resources for 2022/23 approved at Council in March 2022, with around 60% of gross expenditure relating to employee costs;



- 2.21 As noted in section 2.15 of the report it is recognised that in the last number of years, the level of influenceable budget which is not linked to Scottish Government requirements or statutory contractual commitments, be it through the Health and Social Care Partnership or large elements of the Communities budget, has greatly reduced. This continues to place a disproportionate level of pressure on the other Council budgets and reinforces the desire for local authorities to have more flexibility around resource allocation.

Medium-Term Financial Pressures and Planning Assumptions

- 2.22 Following an assessment of cost pressures and income levels anticipated over the next 3 years further work has been completed in respect of the short and medium-term impact of anticipated pressures, although it should be stressed that cost forecasts are subject to a high degree of volatility at this time. In addition, ongoing work to review the General Services Capital Programme has identified significant additional cost risks, mainly through the legacy impact of the pandemic and a very high level of construction inflation. When set within the context of the current planning assumptions around funding, this has resulted in a projected medium-term funding gap of £53.334m (including the HSCP) and £35.016m (excluding the HSCP) over the

next 3 years. Areas of significant pressures identified within the Medium-Term financial Outlook include:

Workforce costs

2.23 Estimated pay settlement includes a general 5% increase in 2022/23, with greater levels of increase applied at the lower grades equating to an overall increase of around 6.5% to the pay bill. This has been accepted by 3 of the main bargaining groups and is summarised across pay bandings as follows;

- A minimum of £1,925 increase for those on up to £39,000 per year;
- 5% increase for those between £39,000 and £60,000 per year; and
- A maximum increase of £3,000 for those earning more than £60,000 per year.

2.24 At the time of writing, negotiations continue with the teacher unions. The SG has provided a total of £260.6m on a recurring basis to support the pay negotiations. The level of anticipated increase still requires local authorities to fund around 3.60% of the 6.50% increase in the pay bill. This is 0.60% more than what was provided for in the 2022/23 Budget and will require to be met from existing Council resources.

2.25 Within the context of the local government funding landscape, this level of pay increase not only presents a significant affordability challenge to local government finances in 2022/23, but it also increases the base budget requirements in 2023/24. Further, with inflation forecasts remaining high through the 1st 2 quarters of 2023, there remains a significant risk that pay negotiations for 2023/24 will centre around similar levels of increase. Currently the planning assumption for pay increases over the next 3 years is 3% per annum. This planning assumption is on the basis that the SG would provide additional support to fund any further increase. Without this support, absorbing additional increases would prove extremely challenging and could amount to an additional £8m on a recurring annual basis.

Staff Group	2023/24 Planning Assumption	2024/25 Planning Assumption	2025/26 Planning Assumption
Teachers	3%	3%	3%
Other Staff	3%	3%	3%

Other Inflationary Costs

2.26 As noted in section 2.6 of the report, significant Inflationary cost increases have been included in forecasts for major utilities (electricity and gas), fuel, food and those contractual commitments with increases linked to inflation indices. In respect of utilities, cost forecasts are based on rates already secured via Procurement Scotland from the advance purchases and from available price indices applied to the balance of expected energy need across each of the years. What is uncertain at this time is the extent to which the recent UK Government “Energy Bill Relief Scheme” announcement will benefit those public sector organisations who purchase energy via national frameworks. Procurement Scotland is currently working with the Council’s energy providers to ascertain the position. A prudent position is reflected at this time.

- 2.27 Major contracts linked to inflation indices include PPP contracts and waste contracts. Cost impacts based on inflation forecasts over the next 3 years have been included in the budget model. In addition to this an allowance has been made to cover other major contractual increases e.g., Strathclyde Passenger for Transport and to meet legislative requirements.
- 2.28 The Council makes no provision for general inflation. It is recognised that due to the high levels of inflation this will place further significant strain on operational budgets across the Council. The implications of this will include a reduced level of purchasing power for a range of materials and commodities and possible re-phasing of programmes / activities to operate within existing resources on an annual basis. It is important that elected members are kept fully informed of any impacts.
- 2.29 The UK Government decision to reverse the 1.25% national insurance increase has created an in-year saving and a recurring saving to the Council. On the basis that this position does not change, a recurring saving of around £1.2m per annum has been included in the Budget model. However, as noted in section 2.11 of the report, the cost of borrowing to the Council to support delivery of the capital programme has increased significantly over the last month. This, along with high levels of construction inflation places a significant burden on the affordability of the 10-year capital programme. It is therefore prudent at this time to re-direct this saving into the Council's Loans Fund to help support the additional funding required to deliver the capital programme.

Other Pressures and Risks

- 2.30 The legacy impact of pressures from the pandemic will continue to trail through into 2023/24 and possibly beyond, whilst additional Scottish Government funding ceased in 2021/22. They include waste services costs, facilities management costs and commercial and general income and financial pressures faced by North Ayrshire Leisure Ltd. No additional financial provision will be incorporated into the 2023/24 Budget; however, a balance of legacy resources remains to help mitigate the ongoing risks.
- 2.31 There remains a risk of additional cost pressures from Scottish Government policy commitments. Although the SG Spending Review indicates a broadly "flat cash" funding landscape for local government, what is unclear is if this overall funding envelope is also intended to fund policy commitments or if resources will be transferred from another portfolio e.g. we would expect around £1m revenue funding to support the expansion of primary 6 and primary 7 universal free school meals. This is therefore a risk within the context of the local government grant settlement. From a capital funding perspective, it is also clear that available SG capital funding is insufficient to deliver this policy intent. To address this risk the sum of £10m has already been included in the capital plan from the 2022/23 Budget.
- 2.32 The Scottish Government policy intent in delivering a National Care Service by 2026 will also have potentially wide ranging financial and operational implications for the Council including the impact on funding, assets and staffing. This is set within the context of the current socio economic and demographic pressures, including:
- A growing older population;
 - Increased demand for adult services; and

- Increased demand for support of vulnerable children and young people.

Local Government Funding and Anticipated Budget Gap

- 2.33 Single year settlements have been a feature of Scottish Government budget setting since 2015/16. This approach continues to create a high level of uncertainty around future funding levels and impedes progress in delivering sustainable change. This, alongside the complex interaction of block allocations from the UK Treasury, Scottish Government fiscal policy, priorities and commitments and the complexities of the distribution formulae, makes it difficult to forecast future grant funding levels. The publication of the SG Spending Review in May 2022 provides an indication of the level of overall financial resource. As noted in section 2.12 of the report this indicates a broadly “flat cash” funding position.
- 2.34 With a predicted decline in overall population for North Ayrshire it is both reasonable and prudent to assume that the level of future budget settlements will remain challenging. Based on this, a reduction of -1.0% has been incorporated in the 3 years of the Medium-Term Financial Plan. This remains consistent with the planning assumption of several other Scottish local authorities. The 2022/23 settlement included a late allocation of £120m additional funding to local authorities announced on 27 January 2022. This was originally stated as non-recurring with North Ayrshire Council receiving an allocation of £3.208m. The SG have subsequently confirmed this funding will now be baselined in the settlement and therefore recurring, with the Medium-Term Financial Plan updated accordingly.
- 2.35 The Medium-Term Financial Plan includes a planning assumption of an annual 3% increase to Council Tax. Council tax income is a vital source of funding and represents around 17% of council funding i.e., £64m per annum. With current inflation sitting at 10.1%, this level of anticipated increase sits well below current inflation, however, it is recognised that any level of increase will add a further burden to citizens during the current cost-of-living crisis. An important point to note when considering the level of council tax to be set is the future year impact of any decision e.g., a decision to maintain council tax at 2022/23 levels equates to around £2m less income. Due to the recurring impact on the base budget for 2024/25 this would require an increase in council tax in 2024/25 of more than 6% to simply recover the base income position. This is before the measures to address the budget gap for the year are even put in place. When considered within the context of the scale of the budget gap facing the Council over the next 3 years, not only would this present a significant challenge in delivering balanced budgets, but it is also more likely that members may have to consider increases beyond 3% to deliver a balanced budget in 2023/24.
- 2.36 Since 2017/18 the Council has used over £17m of reserves to support recurring expenditure. A full review of all revenue reserves will be carried out as part of the Medium-Term Financial Plan. Due to the scale of the budget gap forecast in 2023/24, it is highly probable that use of Council reserves will be a requirement in delivering a balanced budget, however, this approach does not offer a sustainable solution and simply increases the budget gap further in subsequent years.

2.37 A summary of the anticipated funding gap position of the Council (including the HSCP) over the next three years is provided in the table below. Further work continues to refine the underlying assumptions. Final savings proposals are being progressed and will be presented to Council on 1 March 2023.

	2023/24 £m	2024/25 £m	2025/26 £m	Total £m
General Fund Gross Funding Gap	£14.500	£10.661	£9.855	£35.016
HSCP Pressures	£7.591	£5.412	£5.295	£18.298
Total	£22.091	£16.073	£15.150	£53.314

Sensitivity Analysis

2.38 Given the uncertainty that underpins the assumptions, sensitivity analysis has been carried out on the key components. A +/-1% movement on these is noted below:

- Scottish Government Grant £3.0m;
- Council Tax Funding £0.65m;
- Payroll incl. HSCP £2.5m

2.39 The anticipated General Fund budget gap for 2023/24 based on current planning assumptions is £14.500m, with gaps of £10.661m and £9.855m for 2024/25 and 2025/26 respectively. As noted in section 2.36 of the report, addressing the 2023/24 Budget gap will likely require the use of Council reserves. It is important to note that this is not a sustainable solution and will have the effect of increasing the gap further in 2024/25. To understand the potential impact of using reserves, the undernoted table provides an example of delivering a balanced budget in 2023/24 with £7m recurring savings and £7.5m non-recurring savings (including use of reserves). The effect in 2024/25 is an increase in Budget gap from £10.661m to £18.161m.

	2023/24 £m	2024/25 £m	2025/26 £m
General Fund Gross Funding Gap	£14.500	£10.661	£9.855
Revised Gap with 23-24 Budget gap met from £7m recurring savings and £7.5m non-recurring savings	£-	£18.161	£9.855

Reserves Strategy

2.40 The Council's reserves are classified as either earmarked or unearmarked. The Council's current unearmarked reserves, i.e., those set aside to allow the Council to manage any unanticipated events, were reported in the 2021/22 Annual accounts as £11.315m, equivalent to 2.9% of General Fund net budgeted expenditure.

This compares to the recommended best practice of between 2% and 4% and the Council's approved Reserves Policy that unearmarked reserves are held at a minimum of 2% of General Fund net budgeted expenditure. In addition to the unearmarked reserves, earmarked reserves have been established to meet a range of known commitments, including the Council's Investment fund and Recovery and Renewal Investment programme, and it is anticipated that these will reduce significantly over the next few years.

2.41 The level of Council reserves requires to be maintained at the right level to ensure the Council's future financial stability. These are kept under review and considered bi-annually on the setting of the Council's budget and on closure of the Council's Account.

2.42 The Council also maintains statutory reserves in the form of an Insurance fund and Capital Fund. The Insurance Fund is maintained to meet the cost of future insurance liabilities, while the current Capital Fund is earmarked to support the Council's capital investment programme and any capital financing requirements, as noted above.

Health and Social Care Partnership (HSCP)

2.43 The Integration Scheme sets out the Integrated Joint Board's (IJB) responsibility for financial planning and management of the HSCP's resources. The IJB has an implicit statutory obligation to set a balanced budget.

2.44 Information on anticipated pressures and proposed savings options are shared with North Ayrshire Council to inform the allocation of resources delegated to the IJB. The level of contribution to the HSCP is based on an anticipated "flat cash" planning assumption where the HSCP address budget pressures through the delivery of equivalent savings and with the use of reserves. The allocation of resources will also continue to be influenced by any requirements set out in the local government finance settlement. The HSCP have identified financial pressures of £7.591m in 2023/24 and £18.298m over the next 3 years. The position for 2023/24 currently assumes the passporting of Scottish Government funding to support the 2022/23 pay negotiations on a recurring basis. The share of SG funding amounts to £1.866m.

2.45 The HSCP currently hold earmarked reserves of £24.305m, which includes COVID related reserves, and unearmarked reserves of £7.248m, which represents around 2.5% of the HSCP Budget.

2.46 The cumulative debt position to the Council at 31 March 2022 totals £2.320m. The Council has set aside the recurring sum of £1.486m to fund the repayment of this debt and based on the current repayment profile, the debt to the Council will be fully repaid during 2023/24. In view of the scale of the financial challenges faced by the Council in 2023/24 a mechanism to facilitate the early repayment of this debt in 2022/23 will be explored. This would release the recurring sum of £1.486m to support the Budget programme.

The Council's Approach

2.47 With a forecast reduction in resources occurring at the same time as increased cost through extreme inflationary impacts and demographic pressures, the scale of the financial challenge remains significant. This is also set within the context of the

savings which have already been delivered between 2010/11 and 2022/23 which totals over £118m, equivalent to around 25% of the gross revenue budget.

2.48 Prudent financial planning requires a medium- and long-term view to be taken on the level of financial resources likely to be available to North Ayrshire Council in the years ahead. Due to the significant Budget gap anticipated in 2023/24, immediate focus requires to be given to deliver a balanced budget in March 2023. This will require the identification of a significant level of savings and a review of current earmarked and unearmarked reserves. Resources to support the repayment of HSCP debt will also be considered as part of the Budget Programme.

2.49 The Council's approach to addressing the financial challenges is influenced by the Council's key priorities. It is important to allocate available financial resources, and deliver positive outcomes aligned to these priorities, however, recognising resources are becoming increasingly limited. This will require potentially reduced levels of investment in areas that don't closely align to these priorities. This will be considered when developing options as part of the Budget programme. Work to develop the new Council Plan is currently being progressed, with some initial key priorities identified which include;

- Addressing poverty and cost of living
- Communities
- Sustainability

2.50 With over 60% of the Council's financial resources represented by workforce related budgets, it will be difficult for the Council to sustain the current level of workforce within available financial resources over the medium-term. When developing options to address the Budget gap and aligned to the work undertaken to develop the Council's key priorities, workforce planning will be a key consideration through this process.

2.51 The Council's sustainable change programme continues to be progressed across a range of themes. It is vital that the programme is delivered at scale and pace to address the Budget gap over the short, medium, and long term and to try and help reduce the impact on communities from Council services provided. In progressing the Budget programme, the areas of renewable energy development, supported with financial resources in the Council's Investment Fund, and the utilisation of the Council's land and property assets are recognised as areas where material financial savings / returns on investment could be delivered. However, in terms of timescale, the opportunities for financial benefit are more likely to feature from 2024/25 onwards.

Sustainable Change Programme			
Sustainability / Renewable Energy	Land and Property Assets	Accessing the Council	Transport and Travel

2.52 It is important for local authorities to have more autonomy and financial flexibility over the use of resources and to deploy those resources based on local priorities and needs, without restrictions or conditions from Scottish Government across specific policy areas. As noted in section 2.15 of the report, local authorities through COSLA will continue to progress a dialogue with Scottish Government across a range of areas which include;

- Resources passported to Integration Joint Boards
- Teacher numbers and pupil: teacher ratios / national standards
- Early learning and childcare resources,
- Council tax levels
- Visitor levy

2.53 In September 2022, the SG issued an updated Finance Circular to all local authorities titled “Accounting for Service Concession Arrangements, Leases and Similar Arrangements.” This guidance includes the method of accounting for PPP/PFI contracts and introduces a change in accounting treatment to reflect such contracts in a manner consistent with accounting for other local authority fixed assets and base the depreciation over the useful economic life of the asset, rather than the term of the contract. It is anticipated that the retrospective implementation of this guidance could generate a potentially significant level of “one-off” saving to the Council and a far reduced level of recurring saving. Due to the significance of this change a report will be brought to Council on 14 December 2022 to consider the implications of this change and to seek approval for its implementation. From a Budget planning perspective, it is strongly recommended that any savings arising from this change are used to address the pressures in the capital programme and the medium-term financial position.

Capital Investment Programme

2.54 The General Services Capital Investment Programme 2022/23 to 2030/31 was approved at Council on 2 March 2022. The review currently being undertaken as part of the 2023/24 Budget will focus on the affordability of the programme when considering the additional cost pressures, mainly through high levels of construction inflation and contractor claims following the pandemic. The current assessment indicates additional costs of more than £25m, however, this position remains volatile and will require to be monitored. The financing of the capital programme has been recently affected by the significant increase in borrowing costs following an increase of over 200 basis points (+2%) in Gilt yields which links directly to the rates available through the Public Works Loans Board (PWLb). Based on current and projected borrowing rates the anticipated additional cost of borrowing to 2030/31 is estimated at over £30m. It is therefore prudent at this time to help address the financial risks, that further financial provision is incorporated in the medium-term financial plan to supplement the existing loans fund resources. As noted in section 2.11 of the report, the recent UK Government reversal of the 1.25% national insurance increase, will provide around £1.2m per annum to help address the pressures.

2.55 As well as the additional costs being incurred in the capital programme, it is also recognised that, from the impact of inflation, the purchasing power of lifecycle investments is greatly reduced. This affects capital investments in roads, property, vehicles, and other infrastructure. To operate within available financial resources,

even by sustaining the level of budgeted investment this will result in a real term reduction in the level of investments across these areas and will lead to the requirement to re-profile programme activity over a longer period.

- 2.56 In terms of funding the capital programme, further prudent assessments will be undertaken around the level and timing of capital receipts, the anticipated level of Scottish Government capital grant, the anticipated funding profiles associated with the Ayrshire Growth Deal and how the use of the Council's loans fund reserve and capital fund will support the programme across the 10 years.
- 2.57 The anticipated revenue implications of the Capital Investment Programme have been reflected in both the Medium- and Long-Term Financial Outlook. However, any further operating or staffing costs resulting from changes or additions to the Capital Investment programme will result in an increased funding gap from the year of completion.

Progress and Next Steps

- 2.58 In advance of the presentation of the Medium-Term Financial Outlook report, briefings for Elected Members have been carried out.
- 2.59 Officers continue to progress the Budget programme and develop options to address the budget gap covering the period 2023/24 to 2025/26. Progress to date will be shared in further elected member sessions during November 2022.
- 2.60 Discussions continue with the Integrated Joint Board to support a partnership approach to development of the Health and Social Care Partnership's budget.
- 2.61 Community engagement sessions are planned during January 2023 across each locality. This process will also be supported by access to an on-line tool to capture feedback on priorities from our citizens and communities. In view of the current financial challenges, it is important that citizens both understand the scale of the challenge and provide feedback on their views to help inform the prioritisation of resources as part of the Budget setting process. Elected Members will be provided with the details of this feedback in advance of the Council Budget setting meeting.
- 2.62 It is planned that proposals for the Medium-Term Financial Plan 2023/24 to 2025/26 will be presented to Council for consideration on 1 March 2023.

3. Proposals

- 3.1 That Council considers the financial position identified in the Medium-Term Financial Outlook 2023/24 to 2025/26, notes the scale of the financial challenges which the Council faces over the medium term and brings forward proposals to set a balanced budget for 2023/24.

4. Implications/Socio-economic Duty

Financial

- 4.1 The anticipated funding gap over the period 2023/24 to 2025/26, based on current planning assumptions, is £53.314m (including the HSCP) and £35.016m (excluding the HSCP). Council will require to set a balanced budget for 2023/24 and future years. The projected funding gap for 2023/24 is £14.500m.

Human Resources

- 4.2 It is anticipated that delivery of savings will impact on the Council's future workforce. The Council has established corporate and Service workforce plans which include; active management of the size of its permanent workforce; vacancy management; review of temporary contracts; together with selective use of voluntary severance and early retirement. Communication and regular consultation will continue to take place with the workforce and Trade Unions.

Legal

- 4.3 It is a statutory requirement for the Council to set a balanced budget and appropriate level of Council Tax to support this. Development of a balance budget is contingent on identification and subsequent delivery of savings alongside management of risk and pressures. Chief Officers will require to provide assurance that plans are in place to secure delivery of proposed savings and deliver services within available financial resources.

Equality/Socio-economic

- 4.4 An Equality Impact Assessment will be carried out for all options presented to Council to assist Council's in making decisions on the bridging of the funding gap.

Environmental and Sustainability

- 4.5 Significant elements of Council investment have been targeted towards sustainability projects and this is reflected in the Council's sustainable change programme. This will play a key role in supporting the Council's journey towards net zero.

Key Priorities

- 4.6 In addressing the financial challenge which the Council faces it will seek to minimise the impact this has on delivering its key priorities within the context of the Council Plan 2019-24. Recognising also that early work has been undertaken in developing the new Council Plan with initial areas of key priority across Poverty and cost of living, communities and sustainability.

Community Wealth Building

- 4.7 All capital and revenue investment will continue be considered within the context of the Council's Community Wealth Building Strategy, with maximising opportunities for local suppliers through procurement a key priority and pillar of the strategy. Further, this strategy is a vital reference for the Council's sustainable change programme, most notably through the Land and Property Assets theme.

5. Consultation

- 5.1 Development of the Council's medium term financial plan is carried out collaboratively across the Executive Leadership Team and with key Partners and stakeholders.

Mark Boyd
Head of Service (Finance)

For further information please contact **Mark Boyd, Head of Finance**, on **01294 324560** .

Background Papers

None

NORTH AYRSHIRE COUNCIL

2 November 2022

North Ayrshire Council

Title: Locality Planning in North Ayrshire

Purpose:

- 1) To provide an update on Locality Planning in North Ayrshire; and
- 2) To seek Council approval for the revised Locality Partnership Terms of Reference and Standing Orders (attached at Appendices 1 and 2), reviewed and agreed by the Locality Planning Working Group as proposed by North Ayrshire Council on 21st September 2022.

Recommendation: That Council approves the revised Locality Partnership Terms of Reference and Standing Orders attached at Appendices 1 and 2 respectively.

1. Executive Summary

- 1.1 The report seeks approval by Council for the updated Terms of Reference and Standing Orders which regulate the operation of the Locality Partnerships (LPs).
- 1.2 The previous version has been in place since 2016, when the LPs were established. The updates relate both to changing relationships with our communities and improvements to processes over that period as well as learning on areas requiring additional clarity and improved practice.

2. Background

- 2.1 Open, transparent, and participatory government is fundamental to democracy, and crucial to building trust with local communities. North Ayrshire Council is committed to involving local people and communities in taking decisions which affect their lives. In North Ayrshire, community engagement and community empowerment are part of a continuum which includes our approach to engagement, consultation, co-production and co-delivery. Audit Scotland, in the Council's Best Value Assurance Report of 2020, stated:

"The council is committed to community empowerment and is recognised as a sector leader."

Locality Planning

- 2.2 The key democratic device for increasing the direct influence of local people in North Ayrshire in how they are governed is Locality Planning. Locality planning was introduced in the Community Empowerment (Scotland) Act 2015, under Part 2: Community Planning. It is one of the ways local communities work together with public and third sector organisations to improve residents' lives and neighbourhoods.
- 2.3 Locality planning has two main functions:
- To tackle inequalities; and
 - To enable community bodies to participate in decision making at a neighbourhood level.
- 2.4 North Ayrshire has taken a particularly inclusive approach to community and locality planning, understanding that building community capacity and social capital within our communities is a more effective route to reducing inequalities than public sector service delivery alone. The Council's Best Value Assurance Report of 2020 commented:
- "The council strives to engage well with some of its most vulnerable communities, including people who are long-term unemployed or who have issues with substance misuse. Where possible, the council seeks to identify people who can act as advocates for these under-represented groups. This has worked well in some cases, for example, engagement with Syrian refugees."

North Ayrshire Council Decentralisation Scheme

- 2.5 The North Ayrshire Locality Planning arrangements are the North Ayrshire Decentralisation Scheme in terms of section 23 of the Local Government etc (Scotland) Act 1994, as well as complying with the obligations of North Ayrshire Community Planning Partnership under Part 2 of the Community Empowerment (Scotland) Act 2014. Locality Partnerships are chaired by elected members as agreed by North Ayrshire Council and since the alignment of Elected Member wards to locality boundaries in 2019, Elected Members may sit on one Locality Partnership.

Functions of Locality Partnerships

- 2.6 The current functions of the Locality Partnerships are to develop, review and implement the priorities of the Locality Plan for their areas, and as part of this:
- Develop a Locality Plan based on agreed local priorities (evidenced from data and community workshops) which aligns with the Single Outcome Agreement and has regard to the plans of Community Planning Partners
 - Monitor and review actions to progress the Locality Plan
 - Engage regularly with the CPP Board to review developments and share success
 - Report directly to the CPP Board
 - Prepare an annual local outcomes improvement progress report containing an assessment of whether there has been an improvement in the achievement of the outcomes of the Locality Plan

- Promote and consider the impact of Community Planning partner strategies and policies at Locality level.
- Receive reports from Community Planning Partners on matters affecting the Locality and respond to strategic issues in relation to service delivery at Locality level to support their alignment with the Locality Plan.
- Influence and improve delivery of services provided within the Locality to support their alignment with the Locality Plan
- Inform the work of elected members within the Locality
- Develop and implement Participatory Budgeting in relation to monies delegated to the Locality Partnership
- Promote and support activities that address local issues and grow community capacity, empowerment and volunteering
- To support local communities and organisations in aligning their work in support of the priorities of the Locality Plan
- Listen to, consult and represent local communities in the Locality
- Support the role of Community Councils in aligning their work in support of the priorities of the Locality Plan
- To name new streets within the Locality
- To administer the disbursement of any grant or other financial payment to local organisations or individuals from within the area in terms of the relevant grants schemes.
- North Coast Partnership only - to administer the disbursement of the Largs Car Park fund
- Respond to consultations on matters affecting the Locality.

Local progress

- 2.7 The progressive nature of locality planning in North Ayrshire has been demonstrated in a number of areas where the influence of the Locality Partnerships has developed significantly:
- Increased engagement of and buy-in from a wide range of local organisations, for example the involvement of a range of community associations, the youth forum and the elderly forum in Irvine Locality Partnership;
 - The development of a number of bespoke mechanisms and approaches to widen engagement in local issues, for example the development of the Chit Chat neighbourhood engagement model in the Three Towns, Irvine and Largs and charettes in the Three Towns, Kilwinning and the Garnock Valley;
 - The proliferation of a number of interest-based forums, with locality-based members, such as the NA Food Network and the North Ayrshire Museums Forum;
 - The development of two iterations of Locality Plans, identifying locality priorities, actions and delivery mechanisms, with priorities including social isolation, the environment, financial inclusion and transport;
 - The development of Islands Plans for Arran and Cumbrae, capturing and articulating community aspirations, with support from national and local government and agencies to facilitate delivery

- A growing sense of social responsibility in relation to poverty and inequalities, as evidenced by a range of CIF projects, including the Fullarton and Vineburgh food and addiction support initiatives;
- Increased support for young people's mental health, as evidenced in the North Coast and Cumbraes through work at Largs Academy and in Arran by work with the Arran Youth Foundation and Arran High School;
- An increased interest in and ownership of placemaking initiatives and environmental issues, for example the adoption of PB initiatives in relation to Streetscene services and Place Framework development in Saltcoats and Largs;
- An increased level of volunteering, as evidenced, for example, by the work of the Ardrossan Community Development Trust;
- Successful partnerships between public and third sector organisations, for example the development of a stalled space in Kilbirnie through the Council and the Garnock Valley Men's Shed and Cycling without Age in the North Coast and Cumbraes;
- Contributions to local employment, for example the employability initiatives at Beith Community Development Trust;
- Increased ownership of and accountability for financial resources such as the Community investment Fund and related external funding, for example Millport Town Hall, Irvine Youth Hub and the Three Towns Growers; and
- A total investment to date by the Council in the Community Investment Fund of £5.6m, expenditure to date of almost £2m and CIF awards have supported the leverage of £6 049 233.80 in additional funding. The majority of this is from external sources such as Lottery and Scottish Government. For each £1 of CIF granted £3.05 has been awarded in additional funding.

Recent national developments and local progress

- 2.8 Two key national developments are also influencing the nature of participatory democracy, in relation to advancing the Christie principles and developing proposed mechanisms to increase engagement nationally.

These are: *If not now, when? Social Renewal Advisory Board 2021* and *Report of the Institutionalising Participatory and Deliberative Democracy Working Group, Scottish Government 2022*.

- 2.8.1 Mechanisms included in the latter report are Citizens' Assemblies, Mini-Publics, Citizen's Enquiries and Citizens' Panels/Juries and Assemblies for under 16s. These all provide time-limited, focused discussions which the public may be more able to contribute to than open-ended commitments. These are supported by officers and experts and therefore have resource implications.

- 2.8.2 In the report of the Scottish Government's *"If not now, when? Social Renewal Advisory Board 2021"* the discussion in relation to *Communities and Collective Endeavour* says:

"The four Calls to Action in this section focus on giving more power to people and communities, empowering frontline teams, developing new arrangements for local governance, and collectively focusing our thinking, actions, and behaviours on improving places. This is not all about funding: it's about leadership, culture, values and an enduring commitment to change."

Our communities have responded to the pandemic with courage, hard graft, kindness and togetherness, and a renewed Scotland must build on this shared sense of purpose to further shift the balance of power. We are therefore calling on the public sector to give more control to people and communities over the decisions that affect their lives. This is a central recommendation in this report.”

- 2.8.3 By co-producing locality planning with its communities, North Ayrshire has already made significant progress in respecting and promoting subsidiarity and making innovative arrangements for local governance. We are encouraging and supporting additional governance mechanisms for local areas, such as development trusts, and we work to ensure parity of esteem with partners in the work we do locally.
- 2.8.4 Our “Accessing our Council” Transformation workstream is progressing a “no wrong door” approach to ensuring our workforce is equipped to support residents holistically to get the right support at the right time and to understand opportunities for residents and communities to develop their skills and to become involved locally.
- 2.8.5 Our LOIP, Council Plan, CLD Strategy, Youth Participation and Citizenship Strategy and Child Poverty Strategy reveal that the culture in North Ayrshire, within the confines of statutory obligations, is one of partnership with our communities.

What next?

- 2.9 Of the four calls to action above therefore, two areas are particular areas for development in Locality Planning in North Ayrshire:
- “Focus on giving more power to people and communities;” and
 - “Collectively focusing our thinking, actions, and behaviours on improving places,” with an emphasis on **public services being shaped around what matters to people**, especially those experiencing disadvantage, in holistic and seamless ways.

The following work is currently in progress to support and promote the role of Locality Planning:

2.9.1 Focus on giving more power to people and communities: Participation

- Reviewing, formalising and strengthening the contribution of Locality Partnerships to the development of the LOIP and the LOIP action plan, with an enhanced focus on poverty and inequalities, including health;
- Further developing the role of Locality Partnerships through more targeted Locality Plans, with a focus on the LOIP priorities (currently Wellbeing, Work and World) and an evidenced based approach with improved measurability of intended impacts;
- Ensuring the role of Locality Partnerships as formal consultees in Council and CPP partner strategies;
- Clarifying and promoting the role of Community Representatives in Locality Partnerships through new role profiles and case studies;
- Continuing to support, promote and develop the role of Community Councils, generally and in relation to Locality Partnerships;

- Strengthening the role of co-option of community members through experience and expertise to encourage participation from other local governance bodies e.g. development trusts, community associations and from the wider community;
- Further developing the network of Chit Chats and other engagement methods where relevant in localities to strengthen local voices and voices of local groups and communities of interest, including minority groups;
- Developing a participation mechanism for older people;
- Receiving information about the locality activity of Police Scotland, especially in relation to early intervention, wellbeing and partnerships;
- Receiving information about the locality activity of Scottish Fire and Rescue, especially in relation to early intervention, wellbeing and partnerships;
- Receiving information about the activity of schools in the locality, including opportunities for community support and involvement;
- Identifying and utilising participatory mechanisms identified in the Scottish Government working group report to strengthen participation in issues in a timely manner and to encourage residents and communities to influence Council and CPP policy:
- Citizen's Assemblies;
- Mini-publics;
- Citizen's Enquiries and Citizens' Panels/Juries; and
- Assemblies for under 16s.
- Developing the Participation Statement of Intent into a Participation Strategy for North Ayrshire.

2.9.2 Locality Partnership involvement in service design

- Reviewing and extending options for participatory budgeting opportunities with Council services and partners;
- Leading and coordinating community participation and involvement through, for example:
- Our "Accessing our Council" Transformation workstream
- Further development of locality and community hubs
- Tackling Child Poverty Board mini-enquiries
- Climate Change Strategy
- Various other workstreams to be agreed by Locality Partnerships.

2.9.3 Collectively focusing our thinking, actions, and behaviours on improving places

2.9.3.1 The Climate Emergency has been identified as a priority in our LOIP Strategic Needs Assessment by 42% of population who live in 20% most deprived areas. Our localities told us that improving our local environment and championing the natural environment is important to them and our communities told us supporting people to get active is important to them.

2.9.3.2 The following work is in progress:

- Strengthening the strategic role and influence of Locality Partnerships in identifying placemaking opportunities with the Council, including ensuring regular reporting to Locality Partnerships on environmental issues, developments and investments by the Council.
- Strengthening the local role of Locality Partnerships in leadership of placemaking initiatives and stewardship of things that influence where people live through linking community and spatial planning proposals at a local level in the following:
 - Local Development Plan 3
 - North Ayrshire Regeneration Delivery Plan
 - Place Plans
 - Place Frameworks
 - Islands Plans
 - Place-based investments
 - Active Travel and Walking Routes
 - Regeneration Capital Grant Fund (RCGF) proposals and projects
 - CIF projects
 - Relationships with Development Trusts.

2.9.3.3 Strengthening Locality Partnership and community participation in placemaking by creating opportunities for Locality Partnership and community participation through, for example:

- Identification and restoration of stalled spaces.
- Tree planting initiatives; and
- PB opportunities as identified by services and partners.

2.9.3.4 North Ayrshire's partnership with Keep Scotland Beautiful has resulted in Climate Literacy training for CPP Senior Officers and this is now being offered to Locality Partnerships.

2.9.3.5 A community environmental forum to work with the Environmental Sustainability and Climate Change Strategy is being developed, with a view to becoming a point of coalescence and joint action for North Ayrshire environmental interest groups.

2.10 A Community Planning Conference in January 2023 will co-produce next steps in maximising the opportunities in community and spatial planning with an outline agenda to include:

- Local Development Plan 3
- Place Partnerships (with Creative Scotland)
- Island Plans
- The community environmental forum
- Community Investment Fund.

Terms of Reference and Standing Orders

2.11 As a result of the ongoing development of Locality Planning in North Ayrshire a review and update of the Terms of Reference and Standing Orders for Meetings has been undertaken.

2.11.1 In addition, enhanced guidance has been developed for chairs, vice-chairs and members of Locality Partnerships to ensure that focus, intended impact and visibility of Locality Planning (not just Locality Partnership meetings but also associated activity) is clear and promoted within communities. This will be the ongoing focus of Locality Partnership Chairs meetings and will also improve the sharing of good practice. This guidance, with local flexibility, will also advise an emphasis on local matters within agendas, in particular how local action can deliver locally on North Ayrshire wide strategies.

2.11.2 The proposed additions to the Terms of Reference and *functions* of the Locality Partnerships are as summarised as follows:

- To ensure an increased focus on tackling inequalities within the Locality Plans;
- To strengthen the “golden thread to the Local Outcomes Improvement Plan priorities;
- To develop proposals for the Community Investment Fund in conjunction with communities and receive updates on the progress and impact of funded initiatives;
- To identify and utilise a range of participatory mechanisms (including Chit Chats) to strengthen participation in issues in a timely manner and to encourage residents and communities to influence Council and CPP policy;
- To receive information about the locality activity of Police Scotland, especially in relation to early intervention, wellbeing and partnerships;
- To receive information about the locality activity of Scottish Fire and Rescue, especially in relation to early intervention, wellbeing and partnerships;
- To receive information about the activity of schools in the locality, including opportunities for community support and involvement;
- To receive regular reports on environmental issues, developments and investments by the Council and community planning partners;
- To support, consider and influence local placemaking initiatives and island plans where appropriate, including but not restricted to:
 - LDP3
 - North Ayrshire Regeneration Delivery Plan
 - Place Plans
 - Place Frameworks
 - Islands Plans
 - Place-based investments
 - Active Travel and Walking Routes
 - The proposed Community Environmental Forum
 - RCGF proposals and projects.

2.11.3 The previous Terms of Reference and Standing Orders were produced in 2016, when LPs were developed. Since that time our approach has developed and improved and the main changes which have been made in comparison to the previous Standing Orders are:

- Following the boundary changes and alignment of Elected Member wards to locality boundaries, the removal of the provision that Elected Members can sit on multiple LPs.
- Clarification of the membership of the Locality Partnerships, with elected members and community members forming the core membership, with CPP and other public sector partners being advisors;
- Co-opted members should not exceed the number of members arrived at through elected members and community representatives.
- Updating of the process for the appointment of Community Representatives.
- Inclusion of the requirement to try to achieve a balance of community representation across towns, communities of interest, age groups and those with other protected characteristics.
- Addition of recommendation that Locality Partnerships have a focus on the co-option of young people or their representatives.
- Change in term of office for Community Representatives to align to local Community Council elections.
- Addition of standing item in relation to the locality activity of Police Scotland.
- Addition of standing item in relation to the locality activity of Scottish Fire and Rescue Service.
- Addition of standing item in relation to the activity of local schools.
- Agreement to formalise the representation of Health and Social Care Locality Forums on the Locality Partnerships.
- The addition of specific arrangements for Arran in relation to membership and financial decision making.
- Addition of virtual meeting format.
- Addition of a process for complaints under the Code of Conduct of Members of Devolved Public Bodies and Addition of Community Investment Fund process and placemaking to the list of functions.

3. Proposals

3.1 It is proposed that Council approved the revised Locality Partnership Terms of Reference and Standing Orders attached at Appendices 1 and 2 respectively.

4. Implications/Socio-economic Duty

Financial

4.1 There are no direct financial implications within the current report.

Human Resources

4.2 There are no human resource implications within the report.

Legal

- 4.3 The North Ayrshire Locality Planning arrangements are the North Ayrshire Decentralisation Scheme in terms of section 23 of the Local Government etc (Scotland) Act 1994, as well as complying with the obligations of North Ayrshire Community Planning Partnership under Part 2 of the Community Empowerment (Scotland) Act 2014. Locality Partnerships are chaired by elected members as agreed by North Ayrshire Council and since the alignment of Elected Member wards to locality boundaries in 2019, Elected Members may sit on one Locality Partnership. The functions of the Locality Partnerships are to develop, review and implement the priorities of the Locality Plan for their areas. The proposed updated Standing Orders are in keeping with these arrangements.

Equality/Socio-economic

- 4.4 The purpose of Community and Locality Planning is to reduce inequalities.

Climate Change and Carbon

- 4.5 The revised LOIP priorities (Work, Wellbeing and World) include environmental objectives, as do many of the Locality Plans.

Key Priorities

- 4.6 Community and Locality Planning contribute to all of the Council's key priorities.

Community Wealth Building

- 4.7 Community and Locality Planning contribute to all of the Community Wealth Building pillars, sometimes directly and sometimes by facilitating partner contributions.

5. Consultation

- 5.1 Locality Planning is designed to be a flexible mechanism which allows for adaptability in local circumstances. Continuous feedback from elected members and local engagement and consultation has informed the proposals for the enhanced functions of the Locality Partnerships, especially the enhanced role for partners and in influencing placemaking and environmental improvements. The recent Locality Planning Working Group, as proposed by North Ayrshire Council on 21 September 2022, has enhanced the cross-council approach to updating and improving local collaboration in relation to addressing poverty and inequalities in North Ayrshire.

Audrey Sutton
Executive Director (Communities & Education)

For further information please contact **Audrey Sutton, Executive Director (Communities & Education)**, on **(01294) 324414**.

Background Papers

Appendix 1: Terms of Reference
Appendix 2: Standing Orders



North Ayrshire Locality Partnership Terms of Reference

November 2022

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Locality Partnerships

1 - Rationale

Locality planning was introduced in the Community Empowerment (Scotland) Act 2015, under Part 2: Community Planning. It is one of the ways local communities work together with public and third sector organisations to improve residents' lives and neighbourhoods.

The North Ayrshire Locality Planning arrangements are the North Ayrshire Decentralisation Scheme in terms of section 23 of the Local Government etc (Scotland) Act 1994, as well as complying with the obligations of North Ayrshire Community Planning Partnership under Part 2 of the Community Empowerment (Scotland) Act 2014.

Locality planning has two main functions:

- To tackle inequalities; and
- To enable community bodies to participate in decision making at a neighbourhood level.

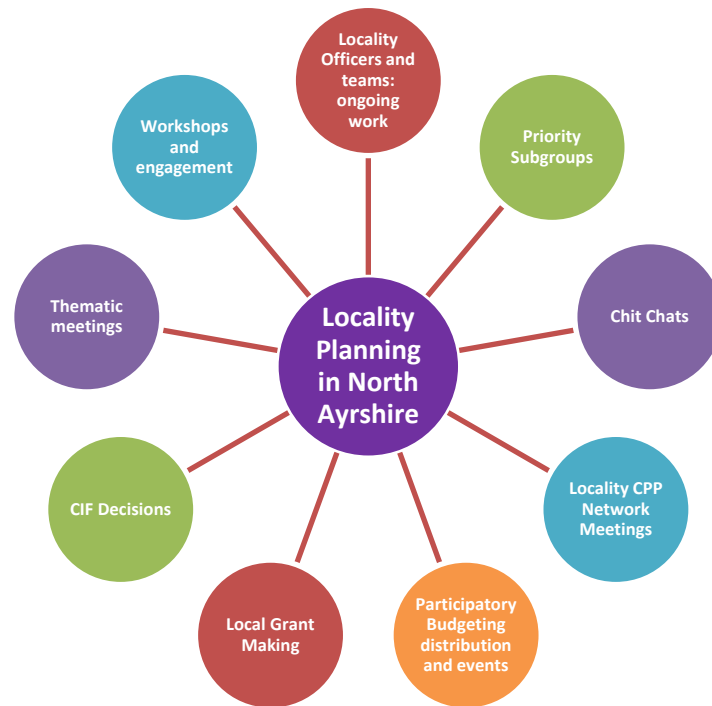
Key areas of focus

Key areas of focus for Locality Planning are:

- Sharing a focus on and acting jointly to address inequalities, including health;
- Giving more power to people and communities;
- Ensuring the contribution of Locality Partnerships to the development of the Local Outcomes Improvement Plan (current priorities are Wellbeing, Work and World);
- Leading the design and delivery of the locally determined Locality Plans, sitting within the LOIP and being clear about the intended impact;
- Collectively focusing thinking, actions, and behaviours on improving places, with an emphasis on public services being shaped around what matters to people, especially those experiencing disadvantage, in holistic and seamless ways;
- Ensuring the role of Locality Partnerships as formal consultees in Council and CPP partner strategies; and
- Ensuring that focus, impact and visibility of Locality Planning is clear and promoted within communities.

Key components

The key components in the Locality Planning approach in North Ayrshire are:



2 - Membership

The membership of the Locality Partnerships will comprise:

- All Elected Members of North Ayrshire Council who represent the Locality;
- The Chair of each Community Council within the Locality, which failing such community councillor as shall be nominated by the relevant Community Council:
- Where there is no Community Council serving a community council area, an individual from a properly constituted community organisation selected in a fair, open and accountable manner as determined by the Locality Partnership. In the event that a Community Council is subsequently formed for this area, this Member shall be replaced by the Chair of the new Community Council.
- Such further Members of the community as will ensure that the overall number of community representatives (including Community Council and other community representatives appointed in terms of the previous two paragraphs) is the same as the number of Elected Members of North Ayrshire Council serving on the Locality Partnership. Prior to such appointment there will be a public process to invite expressions of interest in such membership. Any such community representative will be appointed by the Locality Partnership. In making any such appointment the Locality Partnership shall, as far as possible, have regard to ensuring a balance of representation from the towns, communities of interest, age groups and those with other protected characteristics within the Locality. Locality Partnerships will seek community representation based on participation by expertise and experience, and the skills and knowledge required by the Partnership to deliver on its priorities.
- For the Arran Locality Partnership, membership will include the leads for the three themes of the Island Plan Steering Group.

3 – Co-opted Membership

Locality Partnerships may co-opt as additional members, further representation, including representatives of an agency or organisation not already serving on the Locality Partnership. Any such representative shall have knowledge or expertise in the distinct areas of the Locality Partnership's work (Participation by Experience). The number of co-opted members must not exceed half that of the Locality Partnership's membership. Co-opted members will have such membership rights as the Locality Partnership may determine. In particular, the Locality Partnership may determine their voting rights and the period of time or defined piece of work for which such Co-opted members are appointed. The period of appointment of such co-opted members shall not exceed the normal period of office of community council members. Only Co-opted members who have full voting rights shall be counted as part of any quorum for meetings. Co-opted members should not exceed the number of members arrived at through elected members and community representatives.

4 - Deputies

Named Depute Members for Members may be appointed by the constituent authority which nominated the Member, or the Member as appropriate. The appointment of such Deputies will be subject to the same rules and procedures for Members. Deputies shall receive papers for Meetings of the Locality Partnership but shall be entitled to attend or vote at a Meeting only in the absence of the principal Member they represent. If the Chairperson or Vice Chairperson is unable to attend a meeting of the Locality Partnership, any Depute Member attending the meeting may not preside over that meeting.

5 - Community Planning Partners (advisors)

Community Planning Partners will be represented on Locality Partnerships as follows:

- A Senior Lead Officer appointed by North Ayrshire Community Planning Partnership, who will act as chief advisor to the Locality Partnership.
- An Officer representative from each of the following Community Planning Partnership organisations, namely:
 - North Ayrshire Council
 - Health and Social Care Partnership
 - Police Scotland
 - Scottish Fire and Rescue
 - Third Sector Interface
- An Officer representative from each of the following Community Planning Partnership organisations, expected to attend where relevant to their work or expertise
 - Scottish Enterprise
 - Skills Development Scotland
 - Strathclyde Partnership for Transport

- Job Centre Plus
- Scottish Government
- Third Sector Interface
- Ayrshire College
- KA Leisure

CPP partners will also convene and attend regular (quarterly) locality network meetings to support community partners and communities, specifically in relation to inequalities, and this will be reported to Locality Partnerships as a standing item on the agenda.

6 - Youth Forums

There will be a standing item in relation to reports from the locality Youth Forum on each Locality Partnership agenda. Representatives from the relevant Youth Forum will attend the Locality Partnership meeting to speak to the report. Equally, there will also be standing item in relation to reports from Locality Partnerships on the locality Youth Forum agenda, with Locality Partnership representation to provide an update on Partnership activity.

7 - Schools 8 - HSCP Locality Forums

Each Locality shall have a separate Health and Social Care Locality Forum as a specialist group within each Locality. Its function is to prepare a Locality Plan for health and social care integration functions in each locality, which Plan sets out the arrangements for carrying out integration functions in the Locality and forms part of the Integration Joint Board's Strategic Plan. This IJB Locality Plan will form the health and social care component of the relevant Locality Partnership Plan. Any issues exclusively relating to health and social care will generally be remitted by the Locality Partnership to the Health and Social Care Locality Forum for consideration. In turn the Health and Social Care Locality Forum may also remit wider issues to the Locality Partnership for discussion. There will also be a standing item on the Locality Partnership agenda on the progress of the Health and Social Care Locality Plans. Any wider issues which involve health and social care, or health and social care issues which are not addressed in the HSCP Locality Plan will be actioned through the Locality Partnership Plan.

In a similar way, it is expected that the priorities of the Locality Plans will be reflected in the strategic and local plans of CPP partner organisations.

Representation will be formalised between the two locality groups.

9 - Period of Membership

The term of office of Elected Members of the Locality Partnership shall be until the day of the next ordinary Elections for Local Government Councillors. The term of office of all other Community members shall be until the day of the next ordinary election of the Community Council for the area where they reside, which failing the day of the next ordinary Elections for Local Government Councillors. The term of office of Officers shall continue until the nominating body replaces them or they cease to be an employee of the nominating body.

10 - Chair

The Chair will be a North Ayrshire Council Councillor who represents the Locality, appointed by North Ayrshire Council. Each Locality Partnership can appoint its own Vice-Chair.

11 - Code of Conduct

Members shall subscribe to and comply with the Standards in Public Life - Code of Conduct for Members of Devolved Public Bodies.

12 - Standing Orders

Standing Orders will be prepared for meetings of Locality Partnerships, which will incorporate the relevant parts of the Terms of Reference.

13 - Quorum

The quorum will be one quarter of the members of the Locality Partnership, excluding co-opted members.

In relation to the awarding of grants, no business shall be transacted at a meeting of the Locality Partnership Board unless there are present, and entitled to vote at least one member who represents the body whose function is to be exercised (e.g. the Council).

14 - Voting (including Arran)

As more particularly detailed in the Standing Orders of the Locality Partnership, every effort shall be made by members to ensure that as many decisions as possible are made by consensus. In the event that such consensus is not possible, then only the member or members representing the body (e.g. Council) whose function is to be exercised shall be entitled to vote. Specific arrangements are in place for Arran

15 - Delegated Powers

In common with North Ayrshire Community Planning Partnership, the Locality Partnership will normally make recommendations, which will be referred for consideration to the body responsible for exercising the function which is the subject of the recommendation. Alternatively an officer of bodies attending the Locality Partnership may have authority delegated by their parent organisation to implement the recommendation without further decision by their parent organisation. In addition, Community Planning Partners or other organisation may in due course, delegate specific powers to Locality Partnerships.

16 - Minutes

The minutes of the Locality Partnership will be referred to the Community Planning Partnership (CPP) for noting. Any recommendations will be referred to the CPP for ratification, although Community Planning Partners or Officers authorised by them may implement Partnership recommendations prior to the CPP ratifying the minute. It is expected that this will normally be the case in relation to Partnership grant recommendations.

17 - Meetings

There shall be at least four ordinary meetings of the Locality Partnership each year. Meetings may be held on a fully in person basis or on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.

18 - Functions Referred

The function of the Locality Partnership is to develop, review and implement the priorities of the Locality Plan for its area and as part of this:

- Develop a Locality Plan based on agreed local priorities (evidenced from data and community workshops) which aligns with the Local Outcomes Improvement Plan priorities (currently Wellbeing, Work and World) and has regard to the plans of Community Planning Partners and to inequalities, including health.
- Ensure an increased focus on tackling inequalities within the Locality Plans.
- Monitor and review actions to progress the Locality Plan.
- Ensure an increased focus on tackling inequalities within the Locality Plans.
- Engage regularly with CPP Board to review developments and share success.
- Report directly to CPP Board.
- Prepare an annual local outcomes improvement progress report containing an assessment of whether there has been an improvement in the achievement of the outcomes of the Locality Plan.
- Promote and consider the impact of Community Planning partner strategies, and policies at Locality level.

- Receive reports from Community Planning Partners on matters affecting the Locality and respond to strategic issues in relation to service delivery at Locality level to support their alignment with the Locality Plan.
- Influence and improve delivery of services provided within the Locality to support their alignment with the Locality Plan.
- Inform the work of elected members within the Locality.
- Identify and utilise a range of participatory mechanisms to strengthen participation in issues in a timely manner and to encourage residents and communities to influence Council and CPP policy.
- Develop and implement Participatory Budgeting in relation to monies delegated to the Locality Partnership.
- Promote and support activities that address local issues and grow community capacity, empowerment and volunteering.
- Listen to, consult and represent local communities in the Locality.
- Support local communities and organisations in aligning their work in support of the priorities of the Locality Plan.
- Support the role of Community Councils in aligning their work in support of the priorities of the Locality Plan.
- Receive information about the locality activity of Police Scotland, especially in relation to early intervention, wellbeing and partnerships.
- Receive information about the locality activity of Scottish Fire and Rescue, especially in relation to early intervention, wellbeing and partnerships.
- Receive information about the activity of Youth Forums in the locality, including opportunities for community support and involvement.
- Receive information about the activity of schools in the locality, including opportunities for community support and involvement.
- Work closely with the HSCP to align priorities and plans where appropriate.
- Name new streets within the Locality.
- Administer the disbursement of any grant or other financial payment to local organisations or individuals from within the area in terms of the relevant grants schemes.
- Respond to consultations on matters affecting the Locality.
- Develop proposals for the Community Investment Fund in conjunction with communities and receive updates on the progress and impact of funded initiatives.
- Support, consider and influence local placemaking initiatives and island plans where appropriate (*see Note 1*), including but not restricted to:
 - LDP3
 - North Ayrshire Regeneration Delivery Plan
 - Place Plans
 - Place Frameworks
 - Islands Plans
 - Place-based investments
 - Active Travel and Walking Routes
 - The proposed Community Environmental Forum
 - RCGF proposals and projects.
- Receive regular reports on environmental issues, developments and investments by the Council and community planning partners.

19 - Decentralisation Scheme

The North Ayrshire Locality Planning arrangements shall be the North Ayrshire Decentralisation Scheme in terms of section 23 of the Local Government etc (Scotland) Act 1994, as well as complying with the obligations of North Ayrshire Community Planning Partnership under Part 2 of the Community Empowerment (Scotland) Act 2014.

20 - Note 1: Place Based Initiatives

LDP3

A Local Development Plan (LDP) covers each council area across Scotland. The North Ayrshire LDP sets out how we aim to guide development and investment in our area over the next 20 years and includes:

- Our **spatial development strategy**: the principles we will use to direct the right development to the right place.
- Our **placemaking policy**: the key criteria that will allow us to deliver the six qualities of successful places.
- Our **strategic development areas** and the key factors we will consider in developing these major areas of change.

North Ayrshire Regeneration Delivery Plan

The Regeneration Delivery Plan will set out how some of our Strategic Development Areas or major regeneration sites will be developed. This includes Ardrossan North Shore/Harbour Area, Irvine Harbourside, Irvine Enterprise Area, Lochshore, and Hunterston.

Place Plans

Local Place Plans are community-led plans setting out proposals for the development and use of land. Introduced by the Planning (Scotland) Act 2019, these plans will set out a community's aspirations for its future development. Once completed and then registered by the planning authority, they are to be considered in the preparation of the relevant local development plan.

Place Frameworks

A Place Based Framework is a practical mechanism for linking the high-level aims of the Place Principle with the capacity of funding and delivery vehicles, such as the Place Based Investment Programme. It is designed to be used to inform and coordinate decisions at national level, regional and local levels, supporting decision makers to shape better places across Scotland.

Islands Plans

The National Islands Plan provides a framework for action to meaningfully improve outcomes for island communities. The Islands (Scotland) Act which was passed by the Scottish Parliament in 2018 sets out the purpose of the National Islands Plan.

10-year local Island Plans were developed with and for the island communities that will drive development of community, economic and environmental wellbeing of Arran and Cumbrae were launched in early March 2022. The Island Plans form the foundations on which to address long-standing issues and challenges faced by both islands and assist in maximising the potential of Arran and Cumbrae.

Place-based investments

Place-based impact investing (PBII) is the act of developing real estate assets with a set of defined social and environmental objectives. PBII investment opportunities include social and affordable housing, small business finance, clean energy, infrastructure and regeneration. As such, these opportunities would include delivering investment in local businesses, quality jobs, affordable homes and town centre regeneration.

Active Travel and Walking Routes

Active travel means making journeys in physically active ways - like walking, wheeling (using a wheelchair or mobility aid), cycling, or scootering. Places like the Trinity Active Travel Walking Hub provide information on guided walks, walking groups and activities and hosts several maps showing active travel routes throughout North Ayrshire.

The proposed Community Environmental Forum

It has been proposed that an Environmental Forum made up from key North Ayrshire environmental interest groups could come together around a North Ayrshire Climate Change Hub and to support delivery of the Council and CPP priorities relating to Climate Change and Sustainability.

RCGF proposals and projects

The Regeneration Capital Grant Fund (RCGF), delivered in partnership between Scottish Government and COSLA, supports locally developed, place-based regeneration projects that involve local communities, helping to support and create jobs and build sustainable communities.



North Ayrshire Locality Partnership Standing Orders

November 2022

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1. General

These Standing Orders set out the procedures to be followed at meetings (either held in person or via digital platform) of Locality Partnerships in North Ayrshire. As far as applicable, these shall also be the standing orders for any Working Groups. The term 'Chair' shall include the Chair of any Working Group.

- 1.2** In these Standing Orders "Locality" shall mean one of the six areas of North Ayrshire designated by North Ayrshire Community Planning Partnership under section 9 of the Community Empowerment (Scotland) Act 2015.
- 1.3** Any statutory provision, or regulation issued by the Scottish Ministers shall have precedence if they are in conflict with these Standing Orders.
- 1.4** As more specifically detailed in 8, it is expected that all decisions of the Locality Partnership (LP), will be made by consensus and LP members will endeavour to reach agreement wherever possible.

2. Membership

2.1 Membership of the Locality Partnerships shall comprise:

- All Elected Members of North Ayrshire Council who represent the Locality.
- The Chair of each Community Council within the Locality, which failing, such community councillor as shall be nominated by the relevant Community Council;
- Where there is no Community Council serving a community council area, an individual from a properly constituted community organisation selected in a fair, open and accountable manner as determined by the Locality Partnership. In the event that a Community Council is subsequently formed for this area, this Member shall be replaced by the Chair of the new Community Council.
- Such further Members of the community as will ensure that the overall number of community representatives (including Community Council and other community representatives appointed in terms of the previous two paragraphs) is the same as the number of Elected Members of North Ayrshire Council serving on the Locality Partnership. Prior to such appointment there will be a public process to invite expressions of interest in such membership. Any such community representative will be appointed by the Locality Partnership. In making any such appointment the Locality Partnership shall, as far as possible, have regard to ensuring a balance of representation from the towns, communities of interest, age groups or those with other protected characteristics within the Locality. Locality Partnerships will seek community

representation based on participation by expertise and experience, and the skills and knowledge required by the Partnership to deliver on its priorities.

- For the Arran Locality Partnership, membership will include the leads for the three themes of the Island Plan Steering Group.

2.2 Co-opted Membership

- Locality Partnerships may co-opt as additional members, further representation, including representatives of an agency or organisation not already serving on the Locality Partnership. Any such representative shall have knowledge or expertise in the distinct areas of the Locality Partnership's work (Participation by Experience). Locality Partnerships may wish to focus in particular on the co-option of young people or their representatives to ensure that they are equal partners in the co-design and co-delivery of policies and services which affect them. Co-opted members will have such membership rights as the Locality Partnership may determine. In particular, the Locality Partnership may determine their voting rights and the period of time or defined piece of work for which such Co-opted members are appointed. The period of appointment of such co-opted members shall not exceed the normal period of office of community council members. Only Co-opted members who have full voting rights shall be counted as part of any quorum for meetings. Co-opted Members should not exceed the Membership listed at 2.1 and 2.2 above.

2.3 Community Planning Partnership Representation

- A Senior Lead Officer appointed by North Ayrshire Community Planning Partnership, will act as chief advisor to the Locality Partnership;
- An Officer representative/adviser from each of the following Community Planning Partnership organisations, namely:
 - North Ayrshire Council
 - North Ayrshire Health and Social Care Partnership
 - Police Scotland
 - Scottish Fire and Rescue Service
 - Third Sector Interface.
- An Officer representative/adviser from each of the following Community Planning Partnership organisations, expected to attend where relevant to their work or expertise:
 - Scottish Enterprise
 - Skills Development Scotland
 - Strathclyde Partnership for Transport
 - Job Centre Plus
 - Scottish Government
 - Ayrshire College
 - KA Leisure.
 - Sportscotland.

2.3 Period of Membership

The term of office of Elected Members of the Locality Partnership shall be until the day of the next ordinary Elections for Local Government Councillors. The term of office of all other Community members shall be until the day of the next ordinary election of the Community Council for the area where they reside, which failing the day of the next ordinary Elections for Local Government Councillors. The term of office of Officers shall continue until the nominating body replaces them or they cease to be an employee of the nominating body.

- 2.4** Where an LP Member resigns or otherwise ceases to hold office, the person appointed in his/her place shall be appointed for the unexpired term of the Member they replace.
- 2.5** On expiry of an LP Member's term of appointment the Member shall be eligible for re-appointment provided that he/she remains eligible and is not otherwise disqualified from appointment.
- 2.6** An LP Member appointed under paragraph 2.1 ceases to be a member of the Locality Partnership if they cease to be either a member or employee of the body which nominated them.
- 2.7** A Member of the Locality Partnership may resign his/her membership at any time during their term of office by giving notice to the Locality Partnership in writing. The resignation shall take effect from the date notified in the notice or on the date of receipt if no date is notified. The Locality Partnership must inform the body that made the nomination.
- 2.8** If an LP Member has not attended three consecutive Ordinary meetings of the Locality Partnership or has not attended any meetings for a period of six months, whichever is the longer, and their absence was not due to illness or some other reasonable cause (not exceeding nine months) as determined by the Locality Partnership, the Locality Partnership may, by giving one month's notice in writing to that Member, remove that person from office.
- 2.9** A constituent authority may remove a member which it nominated by providing one month's notice in writing to the member and the Locality Partnership.
- 2.10** Named Deputies for Members may be appointed by the constituent authority which nominated the Member, or the Members as appropriate. The appointment of such Deputies will be subject to the same rules and procedures for Members. Deputies shall receive papers for Meetings of the Locality Partnership but shall be entitled to attend or vote at a Meeting only in the absence of the principal Member they represent. If the Chairperson or Vice Chairperson is unable to attend a meeting of the Locality Partnership, any Depute Member attending the meeting may not preside over that meeting. Deputies can be nominated in their own right to serve on any Sub Committee.

- 2.11** The acts, meetings or proceedings of the Locality Partnership shall not be invalidated by any defect in the appointment of any Member.

3. Chair and Vice Chair

- 3.1** The Chair will be a Councillor of North Ayrshire Council who represents the Locality, appointed by North Ayrshire Council. Each Locality Partnership will appoint its own Vice-Chair. For the avoidance of doubt the Vice-Chair can be any member of or representative on the Locality Partnership.
- 3.2** The term of office of the Chair and Vice-Chair shall be the period of their membership of the Locality Partnership in terms of 2.3, or, in the case of a person appointed to fill a casual vacancy, the remainder of that term.
- 3.3** A person holding the office of Chair or Vice-Chair shall be eligible for re-election.
- 3.4** On a vacancy arising in the offices of Chair or Vice-Chair, an election to fill the vacancy shall be held as soon as practicable at a meeting of North Ayrshire Council or the Locality Partnership respectively. The notice for the meeting shall specify the filling of the vacancy as an item of business.
- 3.5** At every meeting of the Locality Partnership the Chair, if present, shall preside. If the Chair is absent from any meeting the Vice-Chair, if present, shall preside. If both the Chair and the Vice-Chair are absent, a Chair shall be appointed from within any of the members present for that meeting. Any Depute Member attending the meeting in terms of 2.10 may not preside over that meeting.
- 3.6** Respect will at all times be paid to the authority of the Chair or Vice-Chair, or such other Member presiding, when chairing any meeting of the Locality Partnership. When the Chair speaks, he/she shall be heard without interruption. Members shall address the Chair while speaking.
- 3.7.** It shall be the duty of the Chair to:
- Preserve order and ensure fairness in debate, and determine the order in which speakers can be heard;
 - Decide on matters of relevancy, competency and order, and whether to have a recess during the Meeting, having taken into account any advice offered by the Senior Lead Officer or other relevant officer in attendance at the Meeting;
 - Ensure that Standing Orders are observed;
 - Determine any questions of procedure for which no express provision has been made in these Standing Orders;
 - Maintain order and at his/her discretion, order the exclusion of any member of the public who is deemed to have caused disorder or misbehaved;
 - Adjourn a meeting in the event of disorder arising to a time, which the Chair may then or afterwards, fix (the quitting of the Chair shall be the signal that the meeting is adjourned). In the event the Chair quits without disorder having arisen, the meeting shall not be adjourned and the Depute Chair or in his/her

absence another member of the Locality Partnership chosen by those Members present shall assume the Chair.

- 3.8** The decision of the Chair on all matters within his/her powers shall be final and shall not be open to question or discussion.
- 3.9** The Vice-Chair may act in all respects as the Chair of the Locality Partnership if the Chair is absent or otherwise unable to perform his/her duties.
- 3.10** In the event that in the absence of the Chair, a meeting is being chaired by either the Vice-Chair or another member appointed under 3.5 above, such Chair shall only have a vote in relation to the awarding of grants, where such Chair represents the body whose function is to be exercised (e.g. the Council).
- 3.11** The Chair of the Arran Locality Membership, as the sole Elected Member for the ward taking financial decisions, is subject to the Standards in Public Life - Code of Conduct for Members of Devolved Public Bodies, and review of Community Investment Fund recommendations by Cabinet and the Audit and Scrutiny Committee.

4. Meetings

- 4.1** There shall be at least four ordinary meetings of the Locality Partnership each year at such time, place and frequency as may be agreed by the Locality Partnership. The Chair and Senior Lead Officer will have the final decision-making role on the meeting arrangements as required.
- 4.2** The Chair may convene Special Meetings if it appears to him/her that there are items of urgent business to be considered. Such Meetings will be held at a time, date and venue as determined by the Chair. If the Office of Chair is vacant, or if the Chair is unable to act for any reason the Vice-Chair may at any time call such a meeting.
- 4.3** Adequate provision will be made to allow for members to attend a meeting of the Locality Partnership or a Working Group of the Locality Partnership, either by being present together with other members in a specified place, or in any other way which enables members to participate despite not being present with other members in a specified place. An appropriate venue may include a meeting held on a wholly remote basis by electronic means or in circumstances whereby some members attend in person and others take part via remote means.

5. Notice of Meeting

- 5.1** Before every meeting of the Locality Partnership, or Working Group, a notice of the meeting, specifying the time, place and business to be transacted at it and signed by the Chair, or by a Member authorised by the Chair to sign on that person's behalf, shall be issued by electronic means to all Members no

later than five days (including Saturday and Sunday) prior to the start of the meeting. Such notice will remain valid until rescinded in writing. Lack of service of the notice on any member shall not affect the validity of anything done at a meeting.

- 5.2** Where it is deemed necessary, the Senior Lead Officer, in consultation with the Chair, may also call for a meeting to take place on a wholly remote basis by electronic means or in circumstances whereby some Members attend in person and others take part via remote means.
- 5.3** At all Ordinary or Special Meetings of the Locality Partnership, no business other than that on the agenda shall be discussed or adopted except where by reason of special circumstances, which shall be specified in the minutes, the Chair is of the opinion that the item should be considered at the meeting as a matter of urgency.

6. Quorum

- 6.1** No business shall be transacted at a meeting of the Locality Partnership Board unless there are present, and entitled to vote, at least one quarter of the members of the Locality Partnership.
- 6.2** If within ten minutes after the time appointed for the commencement of a meeting of the Locality Partnership, a quorum is not present, the meeting will stand adjourned to such date and time as may be fixed and the minute of the meeting will disclose the fact.
- 6.3** In relation to the awarding of grants, no business shall be transacted at a meeting of the Locality Partnership unless there are present, and entitled to vote at least one member who represents the body whose function is to be exercised (e.g., the Council).

7 Powers and Business

- 7.1** In common with North Ayrshire Community Planning Partnership, the Locality Partnership will make recommendations, which will be referred for consideration to the body responsible for exercising the function which is the subject of the recommendation. Alternatively an officer of the bodies attending the Locality Partnership may have authority delegated by their parent organisation to implement the recommendation without further decision by their parent organisation. It is expected that this will normally be the case in relation to Locality Partnership grant determinations made within the scope of the relevant grant scheme, with specific arrangements in place for Arran in this regard in relation to financial decisions.
- 7.2** The business of the Locality Partnership is to develop, review and implement the priorities of the Locality Plan for its area, and as part of this to undertake the functions detailed in Appendix A. Community Planning Partners or other

organisations may in due course, delegate further specific powers to Locality Partnerships.

- 7.3** There will be a standing item in relation to reports from the locality Youth Forum on each Locality Partnership agenda. Representatives from the relevant Youth Forum will attend the Locality Partnership meeting to speak to the report. Equally, there will also be standing item in relation to reports from Locality Partnerships on the locality Youth Forum agenda, with Locality Partnership representation to provide an update on Partnership activity.
- 7.4** CPP partners will convene and attend regular (quarterly) locality network meetings to support community partners and communities and this will be reported to Locality Partnerships as a standing item on the agenda.
- 7.5** Each Locality shall have a separate Health and Social Care Locality Forum as a specialist group within each Locality. Its function is to prepare a Locality Plan for health and social care integration functions in each locality, and forms part of the Integration Joint Board's (IJB) Strategic Plan. This IJB Locality Plan will form the health and social care component of the relevant Locality Partnership Plan. Any issues exclusively relating to health and social care will generally be remitted by the Locality Partnership to the Health and Social Care Locality Forum for consideration. In turn, the Health and Social Care Locality Forum may also remit wider issues to the Locality Partnership for discussion. There will also be a standing item on the Locality Partnership agenda on the progress of the Health and Social Care Locality Plans. Any wider issues which involve health and social care, or health and social care issues which are not addressed in the HSCP Locality Plan will be actioned through the Locality Partnership Plan. In a similar way, it is expected that the priorities of the Locality Plans will be reflected in the strategic and local plans of CPP partners. It is open to a Locality Partnership and a Health and Social Care Locality Forum for the same Locality to combine into a single body, should this be agreed by the two bodies, North Ayrshire Council and NHS Ayrshire and Arran.

8. Procedure for Dealing with Items of Business

- 8.1** Every effort shall be made by the Chair and Members to ensure that as many decisions as possible are made by consensus.
- 8.2** Report authors will speak to the terms of any report drafted by them which is on the agenda for a meeting. Thereafter it will be open to any Member to ask a question or questions concerning the item of business under consideration. Such questions must be relevant to the item of business under consideration and may be directed to any Member or officer seeking clarification of the terms of a report
- 8.3** When the Chair is satisfied that there are no more questions to be raised he or she will invite the Locality Partnership to discuss the item of business. Such discussion must be relevant to the item of business and should attempt to achieve a decision by consensus. As part of the Chair's role to manage the

meeting, the Chair shall attempt to ensure that Members who wish to speak have a fair opportunity to do so. The Chair shall have power to determine when Members can speak and will determine the number of occasions and length of time that a Member is able to speak.

- 8.4** When the Chair is satisfied that a decision can be made by consensus he or she will clarify the terms of that decision with the Locality Partnership.

9. Procedure where there is no Unanimous Decision

- 9.1** If the Chair is satisfied that a decision cannot be made by consensus, he or she will invite those of differing views to state the decision they wish the Locality Partnership to make. The first such statement will be known as the motion. Any member may seek an amendment to the motion. Any motion and amendment must relate to the item of business under discussion. No motion or amendment will be accepted unless it is seconded. It will be open to any Member to ask a question or questions to the mover of any motion or amendment seeking clarity of their motion or amendment.

- 9.2** In the event that discussion on any item has exceeded 30 minutes it will be open to any Voting Member to propose a motion. If this is not seconded the motion will fall and discussion shall continue. If it is seconded, the Chair will ascertain if there are any amendments, which also require to be seconded.

- 9.3** Non-voting members can propose or second a motion or amendment and speak to its terms, but cannot vote on it

- 9.4** Debate: when the Chair is satisfied that there are no more amendments to be raised he or she will state that Locality Partnership is in debate.

- 9.5** Subject to the right of the mover of a motion, and the mover of an amendment, to reply, no Member will speak more than once on the same question at any meeting of the Locality Partnership except:

- On a question of Order;
- With the permission of the Chair; or
- In explanation or to clear up a misunderstanding in some material part of his/her speech.

- 9.6** The mover of an amendment and thereafter the mover of the motion will have the right of reply for a period of not more than 3 minutes. He/she will introduce no new matter and once a reply is commenced, no other Member will speak on the subject of debate. Thereafter the discussion will be held closed and the Chair will call for the vote to be taken.

10. Voting

- 10.1** Where a decision cannot be made by consensus in terms of standing order 8, then only Elected Members and Community members shall be entitled to vote,

except in relation to the awarding of grants, where only the Member or Members representing the body whose function is to be exercised (e.g. the Council) shall be entitled to vote.

- 10.2** Any decision requiring a vote will be determined by a majority of votes of the Members present and who are entitled to vote on the question. Voting shall be by a show of hands, except where the meeting is being held via a remote meeting platform, when the name of each member voting or declining to vote shall be recorded in the minute by calling the roll of the members. In the case of an equality of votes the Chair shall have a second or casting vote. As the purpose of the Chair's second or casting vote is to break a deadlock, they can cast it whichever way they choose, including casting it differently from their earlier substantive vote. For the avoidance of doubt, the Chair is not required to cast their second or casting vote in favour of the status quo.
- 10.3** On Arran, which is a single member constituency, all LP members will have a vote, including for financial decisions. In relation to financial decisions, where the elected member agrees with the majority vote for a financial decision then that decision stands. However, if the elected member does not agree with the majority vote then the decision must be referred to Cabinet for ratification. If the LP Chair (the elected member) is not present at a meeting then any financial decisions must be deferred to the next meeting or referred to Cabinet.

11. Code of Conduct and Conflicts of Interest

- 11.1** Members of the Locality Partnership shall subscribe to and comply with the Standards in Public Life - Code of Conduct for Members of Devolved Public Bodies which is deemed to be incorporated into these Standing Orders. All members who are not already bound by the terms of the Code shall be obliged before taking up membership, to agree in writing to be bound by the terms of the Code of Conduct for Members of Devolved Public Bodies.
- 11.2** If any Member has a financial or non-financial interest as defined in the Code of Conduct of Members of Devolved Public Bodies and is present at any meeting at which the matter is to be considered, he/she must as soon as practical, after the meeting starts, disclose that he/she has an interest and the nature of that interest and if he/she is precluded from taking part in consideration of that matter.
- 11.3** If a Member or any associate of theirs has any pecuniary or any other interest direct or indirect, in any contract or proposed contract or other matter and that Member is present at a meeting of the Locality Partnership, that Member shall disclose the fact and the nature of the relevant interest and shall not be entitled to vote on any question with respect to it. A Member shall not be treated as having any interest in any contract or matter if it cannot reasonably be regarded as likely to significantly affect or influence the voting by that Member on any question with respect to that contract or matter.

- 11.4** Where an interest is disclosed, the other members present at the meeting in question must decide whether the member declaring the interest is to be prohibited from taking part in discussion of or voting on the item of business.
- 11.5** Complaints that a member has breached the Code of Conduct of Members of Devolved Public Bodies will be determined by the Locality Partnership or a Working Group set up under Standing Order 19. The complainer must identify the specific provision of the Code which has been breached and why it has been breached, failing which the Senior Lead Officer may advise that the complaint should not be further considered. If the Locality Partnership proceed to a hearing to determine the complaint, it should ensure (a) that members directly involved in the complaint are not members of the meeting which determines the complaint; (b) give to the member who is being complained about fair notice of the subject matter of the complaint and (c) provide the complainer and the member complained about an opportunity to address the meeting. If the Locality Partnership uphold the complaint they can (a) make recommendations to the body who appointed the member to either replace or suspend the member or (b) subject to the approval of the Senior Lead Officer, suspend the member from attending meetings of the Locality Partnership for a period of up to one year.

12. Adjournment of Meetings

- 12.1** A meeting of the Locality Partnership may be adjourned to another date, time or place by a motion, which shall be moved and seconded and put to the meeting without discussion. If such a motion is carried by a simple majority of those present and entitled to vote, the meeting shall be adjourned to the day, time and place specified in the motion.

13. Disclosure of Information

- 13.1** No Member or Officer shall disclose to any person any information which falls into the following categories:
- Confidential information within the meaning of Section 50(a)(2) of the Local Government (Scotland) Act 1973.
 - The full or any part of any document marked “not for publication by virtue of the appropriate paragraph of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 (which schedule is attached as Appendix B) , unless and until the document has been made available to the public or press under section 50B of the said 1973 Act.
 - Any information regarding proceedings of the Locality Partnership from which the public have been excluded unless or until disclosure has been authorised by the Locality Partnership or the information has been made available to the press or to the public under the terms of the relevant legislation.

- Personal information about any individual unless that individual has consented to its disclosure

13.2 Without prejudice to the foregoing no Member shall use or disclose to any person any confidential and/or exempt information coming to his/her knowledge by virtue of his/her office as a Member where such disclosure would be to the advantage of the Member or of anyone known to him/her or which would be to the disadvantage of the Locality Partnership.

14. Recording of Proceedings

Any request to photograph, tape, film, video tape, digital or otherwise record the proceedings of any Meeting shall be notified in advance to the Locality Partnership, to enable the Partnership to determine whether to agree to the request. For the avoidance doubt, recording of remote or on-line meetings is permitted.

15. Admission of Press and Public

15.1 Subject to the extent of the accommodation available and except in relation to items certified as exempt, meetings of the Locality Partnership shall wherever possible be conducted in public. Public notice of the time and place of each meeting of the Locality Partnership shall be given by publishing such notice on the website of the Locality Partnership, which failing, North Ayrshire Council, not less than five days before the date of each meeting. In relation to wholly remote meetings, a member of the public can request to join the meeting as an observer, if technical constraints allow. Alternatively, and subject to obtaining Data Protection agreement of those present, a Locality Partnership may agree to live-stream or subsequently publish the meeting.

15.2 The Locality Partnership may by resolution at any meeting exclude the press and public during consideration of an item of business where it is likely in view of the nature of the business to be transacted or of the nature of the proceedings, that if members of the press and public were present there would be a disclosure to them of exempt information as defined in Schedule 7(A) of the Local Government (Scotland) Act 1973 Act, or it is likely that confidential information would be disclosed in breach of an obligation of confidence. The categories of exemption, which may apply under Schedule 7(A) of the 1973 Act, are set out in Appendix B

15.3 Every meeting of the Locality Partnership shall be open to the public but these provisions shall be without prejudice to the Locality Partnership powers of exclusion in order to suppress or prevent disorderly conduct or other misbehaviour at a meeting. The Locality Partnership may exclude or eject from a meeting a member or members of the press and public whose presence or conduct is impeding the work or proceedings of the meeting.

16. Alteration, Deletion and Rescission of Decisions of the Locality Partnership

Except insofar as required by reason of illegality, no motion to alter, delete or rescind a decision of the Locality Partnership will be competent within six months from the decision, unless a decision is made prior to consideration of the matter to suspend this Standing Order in terms of Standing Order 17.

17. Suspension, Deletion or Amendment of Standing Orders

With the exception of Standing Orders 6.3, 7.1, 10.1, 11.1, 11.2, 11.3, 11.4, 13, and 18.1, any one or more of the Standing Orders in the case of emergency as determined by the Chair upon motion may be temporarily suspended, amended or deleted at any Meeting so far as regards any business at such meeting provided that two thirds of the Members of the Locality Partnership present and voting shall so decide. Any motion to suspend Standing Orders shall state the number or terms of the Standing Order(s) to be suspended.

18. Minutes

- 18.1** The names of the Members and others present at a meeting shall be recorded in the minutes of the meeting.
- 18.2** The minutes of the proceedings, including any decision or resolution made by that meeting, shall be drawn up and submitted to the next ensuing meeting for agreement of their accuracy after which they will be signed by the person presiding at that meeting. A minute purporting to be so signed shall be received as evidence without further proof.
- 18.3** The minutes will also be referred to the Community Planning Partnership for noting by them. Any recommendations made by the Locality Partnership in relation to a matter where they do not have decision making powers delegated to them from the body whose function is to be exercised, will be referred to the Community Planning Partnership for ratification. If ratified, the recommendation will be submitted to the relevant body or bodies for their consideration. This is without prejudice to the powers of Community Planning Partners or officers authorised by them to agree to implement Locality Partnership recommendations prior to the Community Planning Partnership ratifying the minute. It is expected that this will normally be the case in relation to Locality Partnership grant determinations made within the scope of the relevant grant scheme.

19. Working Groups

- 19.1** The Locality Partnership may establish any Working Group as required in relation mainly to progressing the actions agreed in the Locality Action Plan. Each Working Group shall have a limited time span as may be determined by the Locality Partnership.
- 19.2** The Membership, Chair, remit, powers and quorum of any Working Group will be determined by the Locality Partnership.
- 19.3** Agendas for consideration at a Working Group will be issued by electronic means to all Members no later than two days (not including Saturday and Sunday) prior to the start of the meeting.

Appendix A

Functions of the Locality Partnership

The function of the Locality Partnership is to develop, review and implement the priorities of the Locality Plan for its area and as part of this to:

- Develop a Locality Plan based on agreed local priorities (evidenced from data and community workshops) which aligns with the Local Outcomes Improvement Plan priorities (currently Wellbeing, Work and World) and has regard to the plans of Community Planning Partners and to inequalities, including health.
- Ensure an increased focus on tackling inequalities within the Locality Plans.
- Monitor and review actions to progress the Locality Plan.
- Ensure an increased focus on tackling inequalities within the Locality Plans.
- Engage regularly with CPP Board to review developments and share success.
- Report directly to CPP Board.
- Prepare an annual local outcomes improvement progress report containing an assessment of whether there has been an improvement in the achievement of the outcomes of the Locality Plan.
- Promote and consider the impact of Community Planning partner strategies, and policies at Locality level.
- Receive reports from Community Planning Partners on matters affecting the Locality and respond to strategic issues in relation to service delivery at Locality level to support their alignment with the Locality Plan.
- Influence and improve delivery of services provided within the Locality to support their alignment with the Locality Plan.
- Inform the work of elected members within the Locality.
- Identify and utilise a range of participatory mechanisms to strengthen participation in issues in a timely manner and to encourage residents and communities to influence Council and CPP policy.
- Develop and implement Participatory Budgeting in relation to monies delegated to the Locality Partnership.
- Promote and support activities that address local issues and grow community capacity, empowerment and volunteering.
- Listen to, consult and represent local communities in the Locality.
- Support local communities and organisations in aligning their work in support of the priorities of the Locality Plan.
- Support the role of Community Councils in aligning their work in support of the priorities of the Locality Plan.
- Receive information about the locality activity of Police Scotland, especially in relation to early intervention, wellbeing and partnerships.
- Receive information about the locality activity of Scottish Fire and Rescue, especially in relation to early intervention, wellbeing and partnerships.
- Receive information about the activity of Youth Forums in the locality, including opportunities for community support and involvement.

- Receive information about the activity of schools in the locality, including opportunities for community support and involvement.
- Work closely with the HSCP to align priorities and plans where appropriate.
- Name new streets within the Locality.
- Administer the disbursement of any grant or other financial payment to local organisations or individuals from within the area in terms of the relevant grants schemes.
- Respond to consultations on matters affecting the Locality.
- Develop proposals for the Community Investment Fund in conjunction with communities and receive updates on the progress and impact of funded initiatives.
- Support, consider and influence local placemaking initiatives and island plans where appropriate (*see Note 1*), including but not restricted to:
 - LDP3
 - North Ayrshire Regeneration Delivery Plan
 - Place Plans
 - Place Frameworks
 - Islands Plans
 - Place-based investments
 - Active Travel and Walking Routes
 - The proposed Community Environmental Forum
 - RCGF proposals and projects.
- Receive regular reports on environmental issues, developments and investments by the Council and community planning partners.

Appendix B

Local Government (Scotland) Act 1973

SCHEDULE 7A: DESCRIPTIONS OF EXEMPT INFORMATION

For the purposes of these Standing Orders the word “authority” in this Appendix shall mean any of the bodies detailed in paragraph 2.1 of these Standing Orders.

1. Information relating to a particular employee, former employee or applicant to become an employee of, or a particular office holder, former office-holder or applicant to become an office-holder under, the authority.
2. Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority.
3. Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority.
4. Information relating to any particular applicant for, or recipient or former recipient of, any financial assistance provided by the authority.

5. Information relating to the adoption, care, fostering or education of any particular child or relating to the supervision or residence of any particular child in accordance with a supervision requirement made in respect of that child under the Social Work (Scotland) Act 1968.
6. Information relating to the financial or business affairs of any particular person (other than the authority).
7. Information relating to anything done or to be done in respect of any particular person for the purposes of any of the matters referred to in section 27(1) of the Social Work (Scotland) Act 1968 (providing reports on and supervision of certain persons).
8. The amount of any expenditure proposed to be incurred by the authority under any particular contract for the acquisition of property or the supply of goods or services.
9. Any terms proposed or to be proposed by or to the authority in the course of negotiations for a contract for the acquisition or disposal of property or the supply of goods or services.
10. The identity of the authority (as well as of any other person, by virtue of paragraph 6 above) as the person offering any particular tender for a contract for the supply of goods or services.
11. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or office-holders under, the authority.
12. Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with:
 - (a) any legal proceedings by or against the authority, or (b) the determination of any matter affecting the authority, (Whether, in either case, proceedings have been commenced or are in contemplation).
13. Information which, if disclosed to the public, would reveal that the authority proposes:
 - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or (b) to make an order or direction under any enactment.
14. Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.
15. The identity of a protected informant.

NORTH AYRSHIRE COUNCIL

2 November 2022

North Ayrshire Council

Title:	Sevenacres Bridge, Kilwinning – Compulsory Purchase
Purpose:	To approve the compulsory purchase of land required to install a replacement bridge over the Lugton Water at Sevenacres, Kilwinning and to provide temporary access for those works to be undertaken.
Recommendation:	That the Council resolves to make a Compulsory Purchase Order to be called “The North Ayrshire Council (Sevenacres Bridge, Kilwinning) Compulsory Purchase Order 2022” as detailed in the report and further detailed in the appendices.

1. Executive Summary

- 1.1 A replacement bridge is required over the Lugton Water at Sevenacres, Kilwinning and land requires to be purchased for that purpose. Negotiations have been ongoing since 2017 with the owners of the ground which the Council requires to purchase to install a replacement bridge over the Lugton Water at Sevenacres, Kilwinning and for temporary access to additional ground to facilitate those works. Although substantial progress has been made, unfortunately binding contracts are not yet in place with all of the owners to allow the works to be undertaken.
- 1.2 In addition, SEPA guidance for carrying out engineering works in a water course indicates that access is generally only allowed on site between March and September due to fish spawning season therefore to prevent further delays in replacing the bridge, a Compulsory Purchase Order is required to give the Council a title to the land

2. Background

- 2.1 The existing Sevenacres Bridge located near Kilwinning is a 7.3m single span masonry arch structure and carries an unclassified single carriageway over the Lugton Water. The average width between the parapets is 5m and the bridge has no verge or footway. The bridge was repaired in the 1980's but significant deterioration has occurred since then. More recently two steel beams were installed on either side of the bridge to support the spandrels and parapets of the bridge, but these repairs haven't prevented the ongoing deterioration of the fabric of the structure. A structural assessment of the load capacity of the bridge was carried out in 2013. The bridge failed this assessment and an 18 tonne weight limit was implemented, however due to the ongoing deterioration to the fabric of the bridge it has been closed to vehicular traffic in 2022 for safety reasons.

- 2.2 Due to the very poor condition of the existing bridge a bridge replacement scheme was considered to be the best way forward. Replacement also provides the opportunity to make improvements to the geometry of the bridge to increase safety of road users. The proposed bridge is to be a precast masonry arch bridge with masonry parapets with an increase in width of the bridge to 6.5m and narrow footways added. The proposed bridge will look very similar to the existing bridge and although there will be an increase in the footprint of the bridge, the additional land take requirement is minimal.
- 2.3 Negotiations to purchase the additional land required for construction, and to agree temporary access for the construction have been ongoing since 2017. All land owners have indicated a willingness to sell the required land and there are indications that the bulk of the land acquisition can be achieved in the near future by voluntary means. However, land acquisition has not yet been finalised with many of the land owners and the situation has become more urgent due to the closure of the bridge to vehicular traffic. This is causing significant disruption to those living close to the existing bridge as well as to the public.
- 2.4 A tender for the bridge replacement can be issued as soon as there is some certainty that the land acquisition can be completed. Compulsory purchase of the land required for the bridge is now considered to be the best method of concluding land acquisition and allowing the replacement of the existing bridge to take place. It is anticipated that most of the land acquisition will be concluded voluntarily but the CPO process will limit the potential for future delays.

Compulsory Purchase Order

- 2.5 The Compulsory Purchase Order will require to be advertised and a Site Notice will be erected on the ground to advertise the Council's proposals, thereafter there will be a period for objections and any objections which cannot be resolved will, in due course, be determined at a Public Inquiry before a Reporter appointed by the Scottish Ministers. If the Order is confirmed there requires to be a further advert period prior to title being completed.
- 2.6 Disputes in relation to any compensation can be referred to the Lands Tribunal for Scotland. The estimated time scale for an opposed Compulsory Purchase Order is in the region of 18 months or more and Officers therefore propose that the Council commence the compulsory purchase procedures as soon as possible.
- 2.7 The rights of the owners of land or property under the Human Rights Act 1998 must be considered before deciding to make a Compulsory Purchase Order. In this connection, it is considered there is a compelling case in the public interest for acquisition of the ground to secure a replacement bridge at Sevenacres, Kilwinning and a Compulsory Purchase Order would strike an appropriate balance between public and private interest.
- 2.8 If the Order is promoted in terms of the legislation the owners and any other person having an interest in the land have a right to object to the proposed Order at a fair, independent and public hearing and are also entitled to statutory compensation in respect of their interest in land. In the absence of agreement compulsory purchase is accordingly considered to be both necessary and appropriate in the circumstances.

3. Proposals

- 3.1 The proposal is “that The North Ayrshire Council resolves in exercise of the powers conferred by Section 104 of the Roads (Scotland) Act 1984 and in accordance with the provisions of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 to make a Compulsory Purchase Order to be called “The North Ayrshire Council (Sevenacres Bridge, Kilwinning) Compulsory Purchase Order 2022” to purchase compulsorily ALL and WHOLE those areas of ground listed on the Schedule hereto which are required to replace the existing Sevenacres Bridge, Kilwinning, authorise and instruct the Senior Manager (Legal Services) to sign the Order and plan on behalf of the Council, affix thereto the Common Seal of the Council, submit the Order and plan to the Scottish Ministers for confirmation, give the appropriate notice to the owners and occupiers of the subjects, insert the appropriate notice in the local press and certify to the Scottish Ministers that the subjects (a) do not belong to the local authority, (b) have not been acquired by statutory undertakers for the purpose of the undertaking, (c) do not form part of common or open space, (d) are not held inalienably by the National Trust for Scotland and (e) are not listed as being of special historical or architectural interest under Section 1 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, and take all steps necessary to complete the compulsory purchase procedures”.

4. Implications/Socio-economic Duty

Financial

- 4.1 The cost of compensating the land owners and the cost of replacing the bridge will be met from existing capital budgets

Human Resources

- 4.2 None

Legal

- 4.3 A Compulsory Purchase Order is the only way to complete title to land where the owner is not willing or not able to agree a voluntary transfer. The process can take some time to complete but commencing the procedure does not preclude negotiations with the owners continuing.

Equality/Socio-economic

- 4.4 None.

Climate Change and Carbon

- 4.5 None.

Key Priorities

- 4.6 The bridge replacement addresses the Council Plan key priorities of providing 'sustainable and effective infrastructure'.

Community Wealth Building

- 4.7 None

5. Consultation

- 5.1 Negotiations and consultation around the purchase of land have taken place between officers in the Commercial Services Directorate and the landowners over a period of years. Landowners are aware that NAC intended to resort to CPO in order to conclude the land purchase and minimise further delay in the replacement of the existing bridge.

Aileen Craig
Head of Democratic Services

For further information please contact **Raymond Lynch , Senior Manager (Legal Services)**, on **01294 324321**.

Background Papers

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Schedule

LAND REQUIRED AND THE PURPOSE OF ACQUISITION

The land (and or rights over land) required and the purposes for which they are required are summarised in this report and shown referenced on the Plan:-

Area	1A	Permanent acquisition of ground and riverbank lying to the north of the Lugton Water and to the west of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured pink and labelled 1A/Pink on the Plan.
Purpose: Land to from part of the layout for the new bridge.		
Area	1B	The right to take temporary occupation of shrubbed area and river bank lying to the north of the Lugton Water and to the west of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured brown and labelled 1B/Brown on the Plan.
Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.		
Area	2A	Permanent acquisition of ALL and WHOLE that land extending to 112.9 square metres or thereby lying to the south of the Lugton Water and to the west of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured pink and labelled 2A/Pink on the Plan
Purpose: Land to from part of the layout for the new bridge and access for maintenance of new bridge and road embankment.		
Area	2B	The right to take temporary occupation of woodland, grazing land, river bank and river bed (Lugton Water) lying to the south of the mid-line of the said river and to the west of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured brown and labelled 2B/Brown on the Plan.
Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.		

Area	3A	Permanent acquisition of ground, riverbed and riverbanks (Lugton Water) lying to the west and east of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured pink and labelled 3A/Pink on the Plan
Purpose: Land to from part of the layout for the new bridge.		
Area	3B	The right to take temporary occupation of ALL and WHOLE that land extending to 378.2 square metres or thereby and comprising woodland, farming land, river bank and river bed (Lugton Water) lying to the east of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured brown and labelled 3B/Brown on the Plan
Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.		
Area	3C	The right to take temporary occupation of ALL and WHOLE that land extending to 678.5 square metres or thereby and comprising woodland, farming land, lying at the west of the junction of road leading south from Sevenacres Bridge, Kilwinning and road leading to Burrowland Farm the as shown delineated in red and coloured brown and labelled 3C/Brown on the Plan
Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.		
Area	4A	Permanent acquisition of ground and riverbank lying to the north of the Lugton Water and to the east of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured pink and labelled 4A/Pink on the Plan.
Purpose: Land to from part of the layout for the new bridge.		
Area	4B	The right to take temporary occupation of garden ground/shrubbed area and river bank lying to the north of the Lugton Water and to the east of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured brown and labelled 4B/Brown on the Plan

Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.

Schedule

LAND REQUIRED AND THE PURPOSE OF ACQUISITION

The land (and or rights over land) required and the purposes for which they are required are summarised in this report and shown referenced on the Plan:-

Area	1A	Permanent acquisition of ground and riverbank lying to the north of the Lugton Water and to the west of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured pink and labelled 1A/Pink on the Plan.
Purpose: Land to from part of the layout for the new bridge.		
Area	1B	The right to take temporary occupation of shrubbed area and river bank lying to the north of the Lugton Water and to the west of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured brown and labelled 1B/Brown on the Plan.
Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.		
Area	2A	Permanent acquisition of ALL and WHOLE that land extending to 112.9 square metres or thereby lying to the south of the Lugton Water and to the west of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured pink and labelled 2A/Pink on the Plan
Purpose: Land to from part of the layout for the new bridge and access for maintenance of new bridge and road embankment.		
Area	2B	The right to take temporary occupation of woodland, grazing land, river bank and river bed (Lugton Water) lying to the south of the mid-line of the said river and to the west of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured brown and labelled 2B/Brown on the Plan.
Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.		

Area	3A	Permanent acquisition of ground, riverbed and riverbanks (Lugton Water) lying to the west and east of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured pink and labelled 3A/Pink on the Plan
Purpose: Land to from part of the layout for the new bridge.		
Area	3B	The right to take temporary occupation of ALL and WHOLE that land extending to 378.2 square metres or thereby and comprising woodland, farming land, river bank and river bed (Lugton Water) lying to the east of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured brown and labelled 3B/Brown on the Plan
Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.		
Area	3C	The right to take temporary occupation of ALL and WHOLE that land extending to 678.5 square metres or thereby and comprising woodland, farming land, lying at the west of the junction of road leading south from Sevenacres Bridge, Kilwinning and road leading to Burrowland Farm the as shown delineated in red and coloured brown and labelled 3C/Brown on the Plan
Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.		
Area	4A	Permanent acquisition of ground and riverbank lying to the north of the Lugton Water and to the east of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured pink and labelled 4A/Pink on the Plan.
Purpose: Land to from part of the layout for the new bridge.		
Area	4B	The right to take temporary occupation of garden ground/shrubbed area and river bank lying to the north of the Lugton Water and to the east of Sevenacres Bridge, Kilwinning as shown delineated in red and coloured brown and labelled 4B/Brown on the Plan

Purpose: For construction purposes, including the right to remove and cut back trees and other vegetation; the right to construct and retain temporary buildings, structures, fences and other works including temporary roads, tracks and other means of access; the right to use for access and egress for pedestrians and vehicles (including heavy vehicles and construction traffic); the right to park vehicles of all types; the right to site and operate machinery and all types of ancillary equipment (including jacking columns, mobile elevated working platforms, scaffolding, cranes and under bridge units); and the right to store materials, plant machinery and other equipment.