

North Ayrshire Council  
16 February 2022

At a Meeting of North Ayrshire Council at 2.00 p.m. involving participation by remote electronic means.

**Present**

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

**In Attendance**

C. Hatton, Chief Executive; C. Cameron, Director (Health and Social Care Partnership); R. McCutcheon, Executive Director and F. Ellis, Team Manager (Property Management and Investment) (Place); C. Amos, Interim Executive Director (Communities and Education); M. Boyd, Head of Service (Finance), F. Walker, Head of Service (People and ICT); A. Craig, Head of Service, N. Shearer, Team Manager (Legal Services), M. McColm, Senior Manager (Communications), H. Clancy, A. Little and C. Stewart, Committee Services Officers and M. Anderson, Senior Manager (Committee and Member Services) (Democratic Services) (Chief Executive's Service).

**Chair**

Robert Barr, Depute Provost, in the Chair.

**Apologies**

Ian Clarkson and Angela Stephen.

**1. Depute Provost's Remarks**

In the absence of the Provost, the Depute Provost welcomed Members and officers to the meeting, which was proceeding on a wholly remote basis by electronic means, and dealt with preliminary matters.

**2. Apologies**

The Depute 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 10 and Section 5 of the Councillors' Code of Conduct.

There were no declarations of the Party Whip.

### **4. Previous Minutes**

The accuracy of the Minutes of the Ordinary Meeting held on 8 December 2021 was confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

### **5. Leader's Report**

Submitted report by the Leader of the Council for the period from 29 November 2021 – 6 February 2022.

Noted.

### **6. Council Minute Volume**

Submitted for noting and for approval of any recommendations contained therein, the Minutes of meetings of committees of the Council held in the period 4 June 2021 – 8 February 2022.

Noted.

### **7. North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held in December 2021**

Submitted report by the Interim Executive Director (Communities and Education) on the Minutes of a meeting of the North Ayrshire Community Planning Partnership Board held in December 2021.

The Chief Executive highlighted the following elements of the report:

- an Ayrshire Growth Deal update;
- the role of Scottish Fire and Rescue Service with regard to new fire alarm requirements;
- the work of Community Justice Ayrshire and further partnership working opportunities;
- development of the new Local Outcomes Improvement Plan; and
- further opportunities for partnership working, including youth volunteering

Noted.

## 8. Council/Committee Meetings

Submitted report by the Chief Executive on the format and arrangements for Council and committee meetings during the remainder of the current Administration, including the proposed resumption of the hybrid meetings pilot.

At its last meeting on 8 December 2021, the Council agreed to pause the hybrid meetings pilot in light of concern around the Omicron variant of COVID-19. The report recommended resumption of this pilot, together with proposed changes to the committee timetable during the pre-election period.

Members asked questions, and received clarification, on the following:

- outstanding business in respect of the Audit and Scrutiny Committee; and
- the mechanism for calling further Special Meetings

Councillor Cullinane, seconded by Councillor Bell, 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) to reschedule a number of meetings in the pre-election period prior to the Local Government Elections on 5 May 2022) as illustrated in Appendix 1 to the report, such that:
  - (i) the scheduled meeting of the Cabinet on 22 March 2022 would be cancelled in favour of a Special Meeting on 8 March 2022;
  - (ii) the scheduled full Council meeting on 30 March 2022 would be cancelled in favour of a Special Meeting on 16 March 2022; and
  - (iii) for the purpose of considering Minutes of Meeting only, a Special Meeting would take place at 1.00p.m. on 30 March 2022;
  
- (b) to resume the hybrid committee meetings pilot, subject to:
  - (i) consultation with the Health and Social Care Partnership with regard to the IJB arrangements;
  - (ii) applicants/licence-holders attending the Licensing Committee doing so on a remote basis only;
  - (iii) the number of physical attendees not exceeding the current maximum capacity of the Council Chambers;
  - (iv) any hybrid meetings during the pilot proceeding as “remote meetings (with physical participation)”, meaning that any failure of the hybrid equipment would result in the meeting reverting to a remote platform;
  - (v) the implementation of all necessary COVID-19 mitigation measures in respect of the Council Chambers;

- (vi) the pilot being suspended in the event of a reintroduction of COVID-19 restrictions; and
  - (vii) the extent of the pilot being dependent on the availability of sufficient staff resources.
- (c) that, in principle, meetings of the Council and its committees revert to a physical format, with the provision of hybrid facilities for those who may wish to access remotely, in the new Administration, subject to (i) the relevant change to Scottish Government guidance permitting it and (ii) the carrying out of appropriate risk assessment.

## **9. Outside Body Appointment**

The Council was invited to note that David Hammond replaced Yvonne Baulk as the officer appointee to the Board of Largs DBFM.

Noted.

## **10. Medium-Term Financial Outlook 2022/23 to 2024/25**

Submitted 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.

Members asked questions, and received clarification, on the following:

- whether any renegotiation of the contract in respect of four PPP-funded schools had taken place recently or was planned;
- the extent to which construction inflationary pressures could be attributed to the effects of Brexit;
- whether construction inflation was being experienced globally;
- the feasibility of seeking to renegotiate PPP contracts and whether officers could be requested to do so;
- whether there had been any successful renegotiations with private companies in respect of PPP contracts elsewhere;
- the cost to the public purse of PPP contracts, compared with the NPD contract in respect of Largs Campus and the model employed for Garnock and Lockhart Campuses;
- the recent NHS Ayrshire and Arran negotiation to buy out the end of their PFI contract for a community hospital and Scottish Government support for this; and
- payments to the PPP contractor in respect of non-domestic rates and utilities.

On a point of order, Councillor Burns sought, and received, confirmation that any questions of clarification should be directed towards officers rather than to another Elected Member.

The Head of Finance undertook to circulate information to Elected Members on (i) the comparative costs to the public purse of the different funding models for capital school estate projects and (ii) payments to the PPP contractor in respect of non-domestic rates and utilities.

Councillor Cullinane, seconded by Councillor Bell, 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) to note (i) the financial challenges identified in the Medium-Term Financial Outlook 2022/23 to 2024/25 and (ii) the scale of the financial challenges which the Council faces over the medium term; and
- (b) that proposals be brought forward to set a balanced budget for 2022/23.

#### **11. Housing Revenue Account (HRA) Capital Investment Programme, Revenue Budget and Rent Levels for 2022/23**

Submitted report by the Executive Director (Place) on the proposed HRA capital investment programme and revenue budget for 2022/23 and the consequential rent levels.

Members asked a question, and received clarification, on whether there had been an increase in rent arrears during the pandemic.

Councillor Cullinane, seconded by Councillor Bell, 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) to approve the HRA capital investment programme for 2022/23, as detailed in Appendix 1 to the report;
- (b) to approve the HRA revenue budget for 2022/23, as detailed in Appendix 2 to the report;
- (c) to approve a rent increase of 2.50% in 2022/23 for council houses, garage sites, lock-ups and sheltered housing service charges; and
- (d) to note the indicative rent increases of 4.00% for 2023/24 and 2024/25.

## 12. Questions

In terms of Standing Order 12, submitted:

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

“The Cabinet Member for Health and Social Care will be aware of the cancellation of the contract at Cooriedoon Care Home. Can he provide me with assurances that the residential nursing care needs of the people of Arran will be met in future?”

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

“The Health and Social Care Partnership, on behalf of North Ayrshire Council took the difficult decision to terminate the contract with Cooriedoon Care Home due to concerns for some time in relation to the quality of care and support provided and that, despite significant support over a period of time, there had been no sustained improvement.

The priority for the Partnership is to provide and support high quality care services for the citizens of North Ayrshire regardless of where this is delivered. Residential care homes support some of the most vulnerable people cared for and we have a responsibility for their safety, wellbeing and welfare.

The transition of residents from Cooriedoon Care home to an alternative place of care is being informed and determined by the preference of individual residents and their families and, as expected, the majority of residents wish to remain on Arran. Montrose House, the North Ayrshire Council care home on the island, is a purpose-built, modern facility which up until now has been under-utilised. The HSCP have secured the appropriate registration from the Care Inspectorate to increase capacity in Montrose House to 30 beds and to provide residential and nursing care supports. As a result, no resident will require to leave Arran for alternative care and support following the decision to terminate the contract with Cooriedoon Care Home.

Capacity for nursing and residential care on Arran has been assessed for the immediate and longer term and resources are being put in place to ensure a resilient model of residential care for the island community. The Integration Joint Board has recently invested additional resources in community-based supports on Arran that will ensure people in the community can remain supported in their own homes for longer, including investment in overnight care supports.

Prior to the pandemic, a significant amount of work was undertaken to develop the case for change and the future vision for health and care services on Arran. This is outlined in the Arran Integrated Model, which now forms part of the Caring for Ayrshire programme of work across Ayrshire and Arran. The North Ayrshire HSCP will refresh the Arran model to update in light of recent investment in community-based services and the recent changes in relation to the provision of residential care services and there will be engagement with the local community on the future model as this is refreshed. The updated case will be brought to the North Ayrshire Integration Joint Board at a future date for approval, to ensure we can collectively ensure the delivery of high quality, safe and resilient care services for the Island.”

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

“Under the 1% Framework Agreement, councils in Scotland have committed to allocate at least 1% of council budgets, made up of revenue and capital expenditure, using Participatory Budgeting (PB). Whilst it is for local authorities to decide how to take forward PB at a local level can the Leader advise on the position in North Ayrshire with specific comment on where NAC are in their aspiration to achieve the 1% objective?”

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

“This information is already in the public domain via a report to Cabinet on 25 January 2022. The Council Plan Mid-Year Report 2021/22 advises that 2.63% of our budget is being allocated through Participatory Budgeting.

Participatory budgeting is a democratic way for people to have a direct say on how public money is spent. Mainstream PB can play a central role in collectively defining services, post pandemic, which meet the needs of communities.

The Scottish Government set a target of 1% for the use of participatory budgeting methods in public funds by 2020. North Ayrshire was the only local authority in Scotland to achieve this. The percentage of Council budget directed via participatory methods during 2020/21 was 1.13% which equates to £4,044,679.”

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

“It has been widely circulated in the national press that some £5 billion in taxpayers’ money has been paid in Covid business support grant to fraudsters. Press report also refer to claims that the Treasury rebuffed offers of investigation by the National Crime Agency because of embarrassment over these eye-watering losses.

Can the Leader (or other relevant Cabinet postholder) advise on the situation in NAC with regard to potential fraud within the Covid business support handouts and comment on any likely investigations into fraudulent claims, highlighting the total spend by NAC during the past 18 months (or other period as figures are available) on such business grant funding and provide any other relevant information on this matter?"

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

"North Ayrshire Council has delivered £53.5m of financial support to North Ayrshire businesses over the last 18 months via just under 11,000 grant payments. This support covers a number of funds including the:

- Strategic Framework Business Fund
- Support for Businesses Grant
- Newly Self-Employed Hardship Fund
- Bed and Breakfast Hardship Fund
- December and January Hospitality Fund
- January Hospitality Top-Up Fund
- Brewers Support Fund
- Nightclub Closure Fund
- Furlough Top-Up Grant
- Local Authority Discretionary/Transition Fund
- Support for Taxi Operators

Significant fraud prevention controls were put in place, and the current number of fraudulent grant payments made via North Ayrshire Council is 9 (representing less than 0.1% of all grants processed) from 4 individuals/businesses. These four individuals/businesses made multiple fraudulent claims across a number of local authority areas, and NAC Finance are pursuing the individuals/businesses for repayment of these funds. The sum of these fraudulent claims is £51,000, representing approx. 0.09% of all such funds administered by North Ayrshire Council.

The £5 billion figure recently mentioned in the press relates to suspected fraudulent loans obtained from banks via the UK Bounceback Loan Scheme. This scheme provided banks with a UK Treasury loan guarantee for any loans subsequently defaulted on by the applicants. It is estimated that circa £47 billion of loan funding has been provided to businesses and individuals via this mechanism."

(4) a question by Councillor Stalker to the Cabinet Member for Green New Deal and Sustainability in the following terms:

"The flood prevention works at Dalry commenced on 1 April 2021 and was due to be completed by the 31 August 2021. The due date was then put back to the end of December 2021, and now it has been delayed yet again with a completion date of the 5 March 2022.

Given the distress and disruption to the residents of Dalry, can I ask the Cabinet Member to provide an update regarding the on-going flood prevention works in the Garnock Valley and can he reassure the residents of Dalry that there will be no further delays and that this work will be finished by the 5 March 2022?"

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

"The Upper Garnock Flood Protection Scheme is a significant engineering project being carried out over a number of locations. Construction works started during August 2020, with the Dalry works commencing in April 2021 as part of the overall Scheme. The total investment of £18.5m into these essential flood protection measures will see tremendous benefits for the local community.

The construction industry has been severely impacted by the global pandemic, resulting in significant delays to a large number of projects across the UK. Due to many businesses being forced to close for extended periods of 2020, self-isolation requirements and the subsequent supply chain disruption, there has been a massive backlog of work within the sector which had a detrimental knock-on effect outwith the Council's control on the Upper Garnock Valley Flood Protection Scheme.

There have also been a number of technical issues to overcome due to the complexity of the works and some unforeseen elements of such deep groundworks.

Whilst we appreciate the concerns of residents regarding the time taken, we are working tirelessly to complete the remainder of the work. Through our dedicated Community Liaison Officer, we have kept a constant dialogue with those residents most affected by the work in and around Mill Park. For such disruptive work we have had fantastic cooperation from the residents and we very much appreciate the way that local people have supported this project.

The majority of the complex and specialist elements are now completed. The final facings to the wall are now over two thirds complete to the Beith Road side and the installation of the new road drainage has begun. This will allow reinstatement of Beith Rd to begin and the Contractors are fully confident that the road will reopen in early March.

I'd like to thank residents and local people in general for their support and cooperation during the construction of this vital flood protection scheme."

As a supplementary question, Councillor Stalker asked how much the contract was over budget and whether there would be any contractual penalties to the contractor due to the delays.

Councillor Montgomerie responded by advising that he did not have this information available but undertook to have a written response circulated to Elected Members.

(5) a question by Councillor Donald Reid to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“Following a suggestion from the First Minister, does North Ayrshire have to cut the bottom off any doors in our schools across North Ayrshire to improve ventilation in our classrooms?”

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

“We are following national guidance in relation to monitoring CO<sub>2</sub> levels in education establishments. The results of this monitoring are continually collated and analysed, and then used to determine if any physical adaptations are required to improve ventilation in any of our teaching spaces.

I can confirm that, where any alterations are required, cutting the bottom off doors will not be one of the options considered as this could affect the fire rating performance of the door.”

(6) a question by Councillor Donald Reid to the Cabinet Member for Cabinet Member for Green New Deal and Sustainability in the following terms:

“Does cutting the bottom off any doors in any school or workplace affect building regulations? Fire Safety around sealed doors on escape routes being an obvious obstacle amongst other issues of concern if we follow Scottish Government instruction in this regard.”

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

“As noted in the previous response, cutting the bottom off doors will not be one of the measures we use to improve ventilation if our monitoring results show that physical adaptations are required in a teaching space to improve air flow.

Following analysis of monitoring results, if officers determine that the most appropriate way to increase air flow is by adapting a door, we would achieve this by installing a proprietary air transfer grille.

Fire rated air transfer grilles are available and, if specified, we would ensure that these are designed and installed to comply with any relevant building standards legislation, including any fire performance required.”

(7) a question by Councillor Donald Reid to the Leader of the Council in the following terms:

“Has the Leader of the Council met with any Scottish Government Ministers since the last Council meeting?”

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

“The Chief Executive and I attended a meeting with Scottish Councils on the West Coast of Scotland with Angus Robertson MSP, the Cabinet Secretary for the Constitution, External Affairs and Culture, to discuss the issue of depopulation across the West Coast of Scotland.

Tom Arthur MSP was due to attend our CWB commission meeting in January but unfortunately had to pull it late on.

Other than that, there have been no other ministerial meetings since before Christmas.”

As a supplementary question, Councillor Donald Reid expressed disappointment that there had been no progress of a ministerial nature in relation to Ardrossan Harbour, and asked whether the Leader could advise on the current position regarding the Harbour and the Glen Sannox ferry.

Councillor Cullinane responded by advising that the Council was now in a position to go out to public consultation on the landside works at Ardrossan Harbour, but that there was no update available on the marina-side works, nor had he received a briefing from Transport Scotland with regard to further delays to the Glen Sannox ferry project. The Leader advised that he was due to meet the new Minister in advance of a Ministerial Taskforce meeting and hoped to be in a better position to update Members thereafter.

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

“Stanley Primary School in Ardrossan opened in August 2007. Part of the disastrous PPP contract that continues to afflict this Council, the school design was criticised in advance of its build.

The criticisms, from parents, pupils, staff and local residents, included the fact that the school was simply too small. This criticism was blithely dismissed by the Labour Administration.

It did not take long for the foresight of everyone but those who built the school to be proven correct. As the school roll increased pupils at the school were soon shunted into huts to be taught. An arrangement that continues to this day. (And an arrangement that was yet another windfall for the private, off-shore organisations that hold the PPP contract).

Part of the issue was the lack of land in the new school estate as the Labour Administration followed up one disastrous decision by another, namely selling the land that was the site of the old school. A decision I opposed at the time but one that was forced through by the Labour administration in concert with their friends. The pupils were thus doubly disadvantaged. Not only are they being taught in huts their play space was severely restricted to accommodate the buildings.

In the years since, I have continually sought a resolution to this problem. A problem that was foreseen and one that the Administration ignored.

The building of the new Lockhart Campus, a project supported by money from the Scottish Government, offered a potential solution to the problem. The space created by the closure of the James McFarlane school could be utilised to create a new early years space, allowing the primary pupils to be re-integrated into their school, playgrounds to be returned, huts to be removed, and the extra payments to the PPP company ceased.

This solution, so clear to those in Ardrossan, has once again been dismissed out of hand.

It is not too late to address the issue. Will the Administration pledge to fully investigate the opportunity to provide adequate facilities for the children and bring fully costed proposals back to this Chamber for decision?"

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

"Stanley Primary School, since its rebuilding in 2007, has grown to be a key community asset in the area and one which is greatly valued.

The modular accommodation was originally provided to take account of an unusual spike in the birth rates in the Ardrossan area, which affected the school intake from 2014. The school roll peaked in 2018 with 468 pupils, but the roll has reduced each year by 10 to 15 pupils, meaning that we anticipate the school roll will reduce to 421 pupils by August 2022 and is predicted to fall further in the period until 2028, based on current information.

Since the last lease renewal for the modular accommodation in 2020, as noted above, the pupil roll has reduced and is projected to remain around current levels for the foreseeable future.

The current class structure at the school requires 16 teaching spaces and this would be the number required based on the roll projections noted above. The main school building at Stanley PS is capable of accommodating 16 classes, as well as the Early Years provision which continues to meet local demand for places.

The modular accommodation is leased on a renewable three yearly basis, with the next lease break being in 2023. The service will soon be exploring the potential for this accommodation to be discontinued. This will involve close working with the Head Teacher to ensure that the requirements of all parties are appropriately met.

Based on current information, this will allow all classes to be housed in the main school building and will release the area currently occupied by the modular accommodation to be used as playground space once again.

On this basis, there is no requirement for additional accommodation to be provided at Stanley Primary School.”

As a supplementary question, Councillor Gurney referred to some pupils having spent all of their early years and primary education being taught in “huts” and asked why the current and previous Labour Administrations were so determined to deny the children of Ardrossan a decent education in proper accommodation.

Councillor Bell responded by noting that the Member had served as Education portfolio holder for much of this time and had not appeared particularly exercised by the situation in Ardrossan. The Cabinet Member referred to Ardrossan Academy’s excellent HMIE report and to planned investment in a new Ardrossan Academy and Primary School. Councillor Bell concluded his remarks by contrasting this with what he described as disastrous decisions by the Elected Member during his time as Education portfolio-holder.

In terms of Standing Order 5.7, the Depute Provost agreed that the meeting be adjourned at 3.30 p.m. for a short comfort break, reconvening at 3.40 p.m. with the same Members and officers present and in attendance, with the exception of Councillor Davidson, who joined the meeting during consideration of the following item of business.

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

“Can the Leader tell us how much general capital and housing revenue account capital investment has been made in the North Coast Ward since the Labour Administration?”

Councillor Cullinane thanked the Member for his question and responded in the following terms, referencing the tables included in his written response:

“The general capital programme includes a total of £8.2million investment across a range of capital investment projects in the North Coast and Cumbraes covering the financial years from 2016 to 2022. A further £52.8m is included in the capital programme covering the years from 2022 to 2031 and includes major investments as part of the Ayrshire Growth Deal, Millport Coastal Flood prevention and Largs Promenade Sea Wall.

In respect of the HRA capital programme investment from 2016 to 2022 totals £24.9m and includes the major Flatt Road housing development in Largs.

A year-by-year breakdown has been included:

**General Fund Capital Expenditure – 2016-March 2022**

Ward	Actuals 2016-17	Actuals 2017-18	Actuals 2018-19	Actuals 2019-20	Actuals 2020-21	Budget 2021-22	Total 2016 to 2022
<b>8 North Coast and Cumbraes Total</b>	524,086	2,266,663	807,924	791,225	264,287	3,555,482	8,209,667

**General Fund Capital Expenditure 2022- March 2031 - Budget**

Ward	Budget 2022-23	Budget 2023-24	Budget 2024-25	Budget 2025-26	Budget 2026-27	Budget 2027-28	Budget 2028-29	Budget 2029-30	Budget 2030-31	Totals
<b>8 North Coast &amp; Cumbraes Total</b>	16,039,562	15,594,532	4,266,688	1,400,000	4,000,000	5,000,000	4,000,000	2,500,000	-	52,800,782

**HRA Capital Expenditure 2016 to 2022**

Ward	2016-17	2017-18	2018-19	2019-20	2020-21	2021-22	Total
North Coast and Cumbraes	£-	£-	£1,640,867	£8,529,125	£10,578,787	£4,211,402	<b>£24,960,181</b>

As a supplementary question, Councillor Gallagher asked whether the Leader would ensure, given the opportunity, that future administrations continued to invest in all Wards and, in particular, the Member’s own Ward of the North Coast and Cumbraes.

Councillor Cullinane responded by offering a commitment as Leader and on behalf of the Administration, that investment, such as in housing, would continue to be delivered across every single Ward.

(10) a question by Councillor Marshall to the Leader of the Council in the following terms:

“What has been the total value of the Council Tax receipts from newly built and occupied houses both in this Administration and in the previous Administration, as well as the annual total for each of the past 5 financial years?”

Councillor Cullinane thanked the Member for his question and responded in the following terms, referencing his written response:

“An analysis of council tax receipts across all requested years has been provided for information. This includes £226million council tax receipts covering the years from 2012-13 to 2016-17 and almost £271million from 2017-18 and projected to 2021-22.

	<b>Total in-Year Council Tax Receipts</b>
	<b>£</b>
2021-22 (projected)	57,692,941
2020-21	56,019,831
2019-20	54,825,893
2018-19	52,007,666
2017-18	50,342,090
	<b>270,888,421</b>
2016-17	46,524,274
2015-16	45,800,384
2014-15	45,078,268
2013-14	44,551,571
2012-13	44,140,297
	<b>226,094,794</b>

As a supplementary question, Councillor Marshall advised that he had been looking for figures on a year-by-year basis, of the new houses which contributed to council tax, and asked whether the Leader recognised the successful efforts of planning officials and the Planning Committee in bringing new housing to the area, thus mitigating population decline.

Councillor Cullinane responded by advising that he would arrange for any missing information to be circulated. The Leader advised that the development mentioned by the Elected Member was driven by the Local Development Plan which the Council had endorsed and supported. Councillor Cullinane acknowledged the work of planning officers and noted that the Council’s Planning Service was recognised as one of the most efficient in the country.

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

“How many new houses have been granted Planning Permission by the Planning Department in each of the present and immediate past two Administrations?”

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

“Planning approvals for each administration term are:

2007 –2012	2,123 new homes approved
2012 –2017	1,867 new homes approved
2017 – 31 <sup>st</sup> January 2022	2,989 new homes approved

*The data provided relates to all consents by the ‘Planning Authority’ during the dates stated.”*

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

“How many secondary school children in North Ayrshire have received a free laptop or a tablet, and a free internet connection as per the SNP election promises made in May 2021?”

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

“It is our understanding that the Scottish Government is working to strengthen ICT infrastructure and plans are currently being developed for the distribution of devices across all local authorities. To date, no devices have been issued to learners in North Ayrshire as part of the Scottish Government election pledge in their most recent Programme for Government. However, we understand that plans are in development.

Locally, in 2020/21, over 2400 digital devices were distributed to children and young people in North Ayrshire. Over 950 of these were provided to secondary aged learners, along with internet connectivity. These devices were funded partly by COVID Recovery funds and partly by the Scottish Government Digital Inclusion Funding. In March 2021, at the annual budget meeting, North Ayrshire Council committed to invest £250,000 per year to provide access to devices and connectivity for online learning and activities. In session 2021-22, we have taken delivery of 1,000 Chromebooks which are currently being prepared for distribution. 469 of these are for secondary learners, targeted at S2 pupils.”

As a supplementary question, Councillor Ferguson referred to a recent announcement about online revision sessions as a contingency measure for this year's exam diet and asked, given that digital devices/internet connection had not been provided, for the Cabinet Member's reassurance that no young person in North Ayrshire would be disadvantaged as a result of the Scottish Government's failure to provide the necessary tools.

Councillor Bell responded by offering an assurance that officers were working hard to ensure that young people were properly supported. The Cabinet Member invited Councillor Ferguson to make him aware of any cases of difficulty and gave an assurance that he would pass them on to officers for appropriate action.

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

"To ask the Cabinet portfolio-holder for Education if he thinks the decision to send out the controversial school 'sex survey' unaltered is still the right one?"

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

"In my opinion, Councillors made the correct decision in agreeing to go forward with the Scottish Government's Health and Well-being Census. The ability for parents/carers to ask that their child can opt out and for the young person to not answer individual questions if they are not comfortable will be made clear in guidance. The process of data collection and security has been approved and a presentation on the Census was given at a recent Parent Councils Chairs meeting where no concerns were raised. The survey will provide information on a wide range of topics which will help guide the provision of services and support for young people going forward."

As a supplementary question, Councillor Ferguson referred to this data being made available to IT professionals within local authorities and asked the Cabinet Member whether all those with access were PVG checked. Councillor Ferguson also requested confirmation that the full survey would be published on the Council's website so that it was available in the public domain.

Councillor Bell responded by undertaking to check the PVG arrangements for the Council's data protection experts who would access the data. The Cabinet Member provided an assurance that the data would be held in a secure location and could not be accessed by anyone without proper authentication. Councillor Bell also undertook to advise Elected Members whether, and where, the survey had been published.

(14) a question by Councillor Ferguson to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“To ask the Cabinet portfolio-holder for Green New Deal and Sustainability what discussions he has had with Scottish Fire and Rescue in relation to SNP proposals to cut the bottom off school doors?”

The following written response was taken as read:

“I can confirm that I have had no discussions with Scottish Fire and Rescue regarding removing the bottoms from doors, and the earlier answers I have provided on this matter confirm this would not be part of our approach in dealing with any ventilation improvements required in teaching spaces.”

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

“Regarding the site of the former oil and bitumen refinery in Ardrossan on which this Council plans to build two schools and a leisure centre, will the Leader of the Council accept anything less than a guarantee that the site has been 100% cleared of the toxic contaminants we know are in the soil before embarking on building schools and a leisure facility?”

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

“Extensive site investigations have been undertaken, and a remediation strategy agreed with the Scottish Government’s Environmental Regulator SEPA.

The development of former industrial sites is relatively common in the West of Scotland and is a priority of the Scottish Government through their Vacant and Derelict Land Task Force.

The proposed works will ensure that the contaminants which have been present in the site are removed or appropriately treated, and that the site ground conditions are suitable for the proposed use. I would not accept anything less than this.”

As a supplementary question, Councillor McNicol repeated his request that the Leader guarantee that the site would be 100% cleared of the toxic contaminants.

Councillor Cullinane responded by repeating that his earlier assertion that the proposed works would ensure that identified contaminants were removed or treated and the site ground conditions were suitable for the proposed use. The Leader questioned Councillor McNicol’s ability to participate in the Planning Committee when it met to determine this application given that the Elected Member had reached a pre-determined view.

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

“Applications opened for free bus travel for under 22s in Scotland on 31 January 2022. Can the relevant cabinet holder advise what the current uptake has been in North Ayrshire at this early stage (if figures are readily available) and what steps are being taken by NAC to publicise the availability of this excellent service for young people?”

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

“The new Scotland-wide Young Persons Free Bus Travel scheme officially launched on 31 January 2022. However, applications were open to eligible young people from 10 January.

As of 8 February 2022, 1,207 cards have been issued, of these 1,017 applications were made via the online process. For those unable to apply online, there is a manual application process available via email or by phone. Details of this are on our website. Since the launch of the scheme on 31 January 2022, over 3,000 journeys across Scotland have been made by young people with a valid North Ayrshire free bus travel card.

The initial campaign to promote this initiative was low key, both nationally and locally, due to the rising number of Covid cases. However, as restrictions have eased, the campaigns have increased. The Council has promoted this campaign via our website and all social media platforms, linking in with Youth Services and schools and specifically targeting and reminding parents of the applications routes.

The Customer Service Team are currently working with Education to simplify the process which would provide parents with the ability to apply via their school with the verification checks being made against the child’s SEEMiS record. This would eliminate the need for parents to upload and submit supporting documentation which is proving to be a barrier for some.

The Council has received a letter of thanks from the Cabinet Secretary which acknowledges the work that has been done to support the launch of this new scheme. Can I also add my thanks to the Customer Service Team who lead on this new initiative.”

(17) a question by Councillor Billings to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“As the first tenants are gaining access to their much-anticipated new homes in Brodick it is time to consider what else is being done to address the ongoing housing crisis on Arran. It has long been recognised that the lack of affordable and flexible housing on Arran is a major factor that holds Arran back from reaching its full economic and social potential. Whilst the 34 new social housing units will contribute to the solution, the 2016 North Ayrshire Council (NAC) report commissioned on behalf of The Arran Economic Group recognised that housing is a multifaceted issue and that a range of approaches were needed. NAC’s Strategic Housing Investment Plan 2022 states that ‘the Council is undertaking research to determine locality preferences for housing on the island (Arran)’.

My question to the Cabinet Member for Green New Deal and Sustainability is could he explain what ‘determine locality preferences for housing’ means, and what form will this research take and when will it commence?”

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

“The North Ayrshire Housing Allocation Policy allows applicants to choose the areas they would prefer for housing. Currently the only choice available for Arran applicants is the whole of Arran. By asking Arran applicants to indicate their locality preferences, we will be able to refine demand information for different towns/villages on the island.

All North Ayrshire Housing Register applicants who stated a preference for Arran are being contacted individually by telephone. They are being asked to indicate what towns/villages on the island they would prefer.

The telephone survey started in January. When this review is complete, and all 34 applicants have moved into the new development at Brathwic Terrace, this information will be utilised alongside demand information from the North Ayrshire Housing Register to determine the level of housing need on the island and will identify which Arran localities are most in demand. This will thereafter be utilised to inform the investment which will be considered within the forthcoming Strategic Housing Investment Plan for 2023-2028.”

As a supplementary question, Councillor Billings asked what plans there were to refresh the 2016 report in light of new data and new Council powers.

Councillor Montgomerie responded by advising that the SHIP was subject to review each Autumn and that housing need on Arran would be discussed as part of this process.

(18) a question by Councillor Murdoch to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“Does the Cabinet Member think the Traffic Management Plan for Largs Campus needs reviewed, updated and implemented in a way that helps pedestrians, motorists and residents?”

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

“As part of the Campus project, a traffic management plan was prepared and various measures were put in place, such as parking restrictions and a new pedestrian crossing on Alexander Avenue. There were a few reported concerns following the opening of the Campus in 2018 and each of these concerns were investigated by our Roads Service in conjunction with Police Scotland. Issues identified were typical of most schools, with poor and inconsiderate parking behaviour being the main issue. There have been no recent concerns raised in relation to the traffic management at the Campus and there are currently no further traffic management measures proposed. However, the Road Safety Officer will contact the Campus to discuss any local concerns that may have been brought to their attention.”

As a supplementary question, Councillor Murdoch asked what the Council could do to improve the situation with regard to ongoing traffic problems around the Campus.

Councillor Montgomerie responded by offering to arrange a meeting with officers on site to look at what might be done to rectify the problem.

(19) a question by Councillor Murdoch to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“Can the Cabinet Member please provide the figures related to the allocation of new housing at Flatt Road in Largs:

- (i) How many of the new properties were allocated to Largs residents?
- (ii) How many properties were allocated to North Coast residents?
- (iii) How many properties were allocated to North Ayrshire residents?
- (iv) How many properties were allocated to people from outside North Ayrshire?”

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

“I can confirm 100 properties have been let to date.

- (i) How many of the new properties were allocated to Largs residents? 63
- (ii) How many properties were allocated to North Coast residents? – 74
- (iii) How many properties were allocated to North Ayrshire residents? – 97
- (iv) How many properties were allocated to people from outside North Ayrshire? – 3”

As a supplementary question, Councillor Murdoch requested clarification on the breakdown and on the number of people who had a connection to the area.

Councillor Montgomerie responded by advising that, as far as he was aware, all had a local connection to the area.

(20) a question by Councillor Murdoch to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“Can the Cabinet Member please provide a specific date for the introduction of DPE (Decriminalised Parking Enforcement)?”

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

“The introduction of Decriminalised Parking Enforcement (DPE) follows a statutory process and must be approved by the Scottish Parliament. This has unfortunately been delayed due to the COVID pandemic. Officers are working with Transport Scotland to progress North Ayrshire’s application for the introduction of DPE and car parking charges. Due to the statutory processes involved and potential for delays it is not possible to confirm an exact date for the introduction of DPE at this time, however Officers are continuing to follow the required process and will ensure further progress updates are regularly provided to Elected Members.”

As a supplementary question, Councillor Murdoch asked whether action could be taken as soon as possible to ensure people were aware of the DPE arrangements well in advance of their implementation

Councillor Montgomerie responded in the affirmative, while acknowledging the challenges of raising awareness during the pandemic.

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

“When will North Ayrshire Council consistently enforce and take action against fly tipping, littering, dog fouling, feeding seagulls, organic and chemical discharges and emissions into the atmosphere and the coastal waters, etc?”

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

“The Streetscene Operational service area is responsible for enforcement of littering, fly-tipping and dog fouling offences. Our internal bespoke prevention initiatives include an anti-roadside litter campaign and the OB-litter-ATE campaign to address lunchtime litter issues at schools. There is also significant and effective partnership working with colleagues in Housing Services and Waste Services to reduce potential offences as well as the provision of support to our ever-growing numbers of volunteers keen to help litter pick in their local areas. Our teams are active members of national campaigns, working in partnership with service providers such as Police Scotland, the Scottish Fire and Rescue Service, Keep Scotland Beautiful and Zero Waste Scotland. Examples of this partnership approach are the successful Operation Moonbeam – Safer shores initiative – My beach your beach.

Our enforcement techniques are well established and considered sector leading, with neighbouring local authorities often consulting with our officers to help improve their existing procedures. Officers actively patrol areas of concern. A slight increase in fixed penalties issued was evident during lockdown however this is now stabilising - figures are detailed in the table below:

<b>Fixed Penalties</b>	
<b>Year</b>	<b>Number of Penalties</b>
<b>2017-18</b>	237
2018-19	217
2019-20	181
2020-21	331
2021-22	262

The Enforcement Team can currently challenge those who feed gulls as the legislation that covers littering states litter can be considered as any item that is thrown down, dropped, or otherwise deposited. The enforcement team would in the first instance have a discussion with individuals on an educational basis and only if that was not heeded move to issuing of a Fixed Penalty Notice.

I can also confirm that the relevant authority with statutory powers in relation to chemical discharges and emissions into the atmosphere and coastal waters is SEPA. I can confirm that in the past and where required the Council has and would work with SEPA to assist them in relation to any environmental crime or discharge of emissions into the atmosphere or coastal waters.”

As a supplementary question, Councillor Murdoch asked if the Leader could give an assurance that wardens would visit the North Coast more often during the summer months.

Councillor Cullinane responded by advising that this was an operational matter, but that any Elected Member with a particular area of concern could raise this through the Council's Lagan system.

On a point of order, Councillor Billings questioned the competence of the motion set out in the next item of business. Councillor Billings asserted that, if there were allegations of a breach of the Code of Conduct, the Monitoring Officer was required, in terms of the Scheme of Delegation to Officers, to investigate and bring a report on the matter to the Council, and the motion should not be considered in advance of this.

In terms of Standing Order 5.7, the Depute Provost agreed that the meeting be adjourned at 4.30 p.m. to allow him to receive procedural advice from officers. The meeting reconvened at 4.40 p.m. with the same Members and officers present and in attendance.

### **13. Motions**

In terms of Standing Order 13, submitted:

- (1) a motion by Councillor Foster, seconded by Councillor Macaulay, in the following terms:

"I move that:

1. Council has no confidence in Councillor Marshall remaining a member of the Planning Committee and Local Review Body and that he is removed from membership of these committees with immediate effect and
2. Councillor Larsen is appointed as chair of Planning Committee and the Local Review Body with immediate effect."

With the permission of the Depute Provost, the Monitoring Officer addressed the meeting to confirm the competence of the above motion. Members were advised that the motion made no reference to any Code of Conduct issue and that, in any event, it was competent for a motion of no confidence to be moved at any time, irrespective of whether any grounds were presented.

Councillor Marshall addressed the meeting to advise that it was his interpretation of section 5 of the Local Government and Housing Act (1989) that the Monitoring Officer was required to submit a report to the Council, in the absence of which, he intimated his formal resignation as a member of the Planning Committee and Local Review Body.

In light of Councillor Marshall's resignation from the Planning Committee and Local

Review Body, and in response to various points of order in respect of the motion, the Chief Executive, in terms of Standing Order 14.5, advised the Depute Provost that the mover and seconder of the motion be invited to amend it by withdrawing point 1. Councillors Foster and Macaulay so agreed.

In response to various points of order, the Monitoring Officer advised Councillor Foster that, when speaking to his motion, he confine his remarks to the terms of the motion, as amended.

On a point of order, Members sought to assert that Councillor Foster's remarks could include wider contextual information. The Monitoring Officer repeated her advice that, given the withdrawal of part 1 of the original motion, the mover and seconder of the motion should confine any remarks to the terms of the motion, as amended.

In terms of Standing Order 5.7, the Depute Provost agreed that the meeting be adjourned at 5.20 p.m. to allow him to receive procedural advice from officers. The meeting reconvened at 5.30 p.m. with the same Members and officers present and in attendance.

At the invitation of the Depute Provost, Councillor Foster, as the mover of the motion was invited to finish presenting the motion. Councillor Foster was again reminded that he should confine his remarks to the terms of the motion, as amended, and this advice was reiterated in response to a further point of order.

In the absence of Councillor Macaulay due to a temporary connection issue, Councillor Burns formally seconded the motion.

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

"Vice Chair Councillor Timothy Billings is appointed as Chair of Planning Committee and the Local Review Body with immediate effect."

Members were then invited to ask questions of clarification of the movers of the motion, as amended, and the amendment. On a point of order, Members were reminded, in terms of Standing Order 14.7, that questions of clarification should relate to the terms of the motion and amendment.

The meeting proceeded to the debate stage.

In terms of Standing Order 16.2, Councillor Gurney, seconded by Councillor Cullinane, moved the closure of debate.

On a division and a roll call vote, there voted in favour of the procedural motion to close the debate, Councillors Barr, Bell, Billings, Burns, Cullinane, Davidson, Dickson, Easdale, Ferguson, Foster, Gallagher, George, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McPhater, McTiernan, Miller and Montgomerie (22) and against, Councillors Donald Reid and Sweeney (2), Councillors Gallacher, Glover, Marshall, McNicol, Murdoch and Stalker abstaining, and the motion was declared carried.

Accordingly, the Council agreed to move to the vote.

On a further division and a roll call vote, there voted for the amendment, Councillors Barr, Bell, Billings, Ferguson, Gallacher, Gallagher, George, Glover, Marshall, McNicol, Montgomerie and Stalker (12) and for the motion, as amended, Councillors Burns, Cullinane, Davidson, Dickson, Foster, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McPhater and McTiernan (13), Councillors Easdale, Miller, Murdoch, Donald Reid and Sweeney abstaining, and the motion, as amended, was declared carried.

Accordingly, the Council agreed to appoint Councillor Larsen as Chair of the Planning Committee and the Local Review Body with immediate effect.

Due to a technical issue with his device, Councillor Donald L. Reid was unable to participate in this item of business or in the remainder of the meeting.

(2) a motion by Councillor Gurney, seconded by Councillor McClung, in the following terms:

“Our citizens will soon be asked to go to the polls and cast their vote. It is not controversial to suggest that it is important that as many people as possible are given the opportunity to exercise their democratic rights and that it is the duty of this Council to encourage that expression.

Indeed, it is the duty of the Returning Officer to promote electoral awareness. That is unlikely to happen in the current circumstances when the most common comment heard at polling stations is to the effect that one would hardly know that there was an election, an issue brought sharply into focus by the recent COVID restrictions.

It is clear that we have a duty to promote the largest demonstration of democratic involvement that we can. Traditionally one of the most effective promotion techniques was to utilise election signs. Indeed, signage was historically the most visible means of making the public aware that an election was upcoming.

Taking these circumstances into account it is imperative that every effort is made to raise electoral awareness and to facilitate that Council will implement a pilot project to allow election signage for the next poll.

Our previous policy on these matters was clear and comprehensive and so would be used verbatim, subject to any updating required by the Returning Officer who would have the delegated authority to do so if a poll, such as a snap general election caused by the removal of the Prime Minister, were to be called before the next Council meeting. This policy was discussed by Council on the 2nd of April 2014 and may be found here

<https://north-ayrshire.cmis.uk.com/northayrshire/CommitteesMeetings/MeetingsCalendar/tabid/70/ctl/ViewMeetingPublic/mid/397/Meeting/339/Committee/4/Default.aspx>

This report made clear that:

- The policy of allowing posters on Council property had proven fit for purpose and that there are no road safety or cost implications for the Council
- A previous Chief Executive's clear recommendation to Council was to approve a policy which allowed for such signage. It is therefore clear that this is the right thing to do from an unbiased electoral perspective, especially given that the Chief Executive is also the Returning Officer

Following this pilot Council will receive a report on the issues in the following terms:

- Benefits in terms of public awareness
- Cost to the Council in terms of having to remove posters
- Environmental issues relating to inadequately secured posters becoming litter
- Road safety issues

Following this pilot, there will be a decision taken on whether the policy should continue for future polls.

I, therefore, moved that the Council agrees to implement the above proposals.”

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

“Council agrees not to implement a pilot project to allow election signage for the next poll and as a direct negative to the motion move that the Council do not allow the display of campaign posters on Council Property.”

Members asked questions of clarification of the movers and seconders of the motion and amendment.

There followed debate and summing up.

On a point of order, Councillors Hill and Gurney, referring to remarks made by Councillor Miller during debate, sought clarification as to any procedural requirement for the Council to be formally advised that Councillor Miller was no longer a member of the Labour Group. The Head of Democratic Services undertook to advise on this further outwith the meeting.

On a division and roll call vote, there voted for the amendment, Councillors Barr, Bell, Billings, Cullinane, Easdale, Ferguson, Foster, Gallacher, Gallagher, George, Glover, Marshall, McNicol, McPhater, Miller, Montgomerie, Murdoch, Donald Reid, Stalker and Sweeney (20) and for the motion, Councillors Burns, Dickson, Gurney, Hill, Larsen, Macaulay, McClung, McMaster and McTiernan (9), and the amendment was declared carried.

Accordingly, the Council agreed:

- (a) not to implement a pilot project to allow election signage for the next poll; and
- (b) not to allow the display of campaign posters on Council Property.

Councillor Davidson left the meeting during consideration of this item.

In terms of Standing Order 5.7, the Depute Provost agreed that the meeting be adjourned at 6.45 p.m. for a comfort break, reconvening at 6.55 p.m., with the same Members and officers present and in attendance.

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

“That the Council:

1. Welcomes the first-round award of £172million of UK Government Levelling Up funding to eight projects across Scotland.
2. Notes our satisfaction that one of the successful projects was an award of £23.7million to make long overdue improvements to the B714 which will help to provide more efficient transportation links between the Central Belt and North Ayrshire.
3. Further notes that this is in addition to the transformative £103million awarded to the Ayrshire Growth Deal which will create approximately 7,000 jobs across Ayrshire.
4. Believes that this initiative will make a significant contribution to the economy of North Ayrshire and congratulates all the partners for their work in delivering what it sees as transformative, exciting, and innovative projects for North Ayrshire.
5. Finally, asks that the Chief Executive write to Iain Stewart MP Parliamentary Under-Secretary, Scotland Office, on behalf of the Council expressing our thanks to the UK Government for their support during the Levelling Up Fund application process and to express our commitment to working collaboratively with the Scotland Office to deliver upon on future Levelling Up Projects across North Ayrshire.”

As an amendment, Councillor Cullinane, seconded by Councillor Sweeney, moved that the Council:

- “Notes that since 2010 over £100million has been cut from the Council’s revenue budget in real terms
- Notes that the £126million referenced in the motion is one-off investment to be invested over a decade
- Further notes that £126million is little over a third of the Council’s annual revenue budget
- Recognises that the investment being made through the Council’s own capital programme and housing revenue account capital programme is significantly higher than £126million over a decade
- Congratulates Council officers for developing successful projects in the Ayrshire Growth Deal and the B714 “Levelling Up” bid
- Believes that so called “Levelling Up” requires more than one-off capital investment in traditional infrastructure projects; requiring a more fundamental shift in economic approach based on the principles of Community Wealth Building
- Believes that local government has a central role to play in this approach but is concerned that more than a decade of cuts has undermined local capacity within Councils
- Agrees that the Council continues to work collaboratively with both the UK and Scottish Government’s in our efforts to secure further investment that will help realise our ambitions for North Ayrshire”.

There followed debate and summing up.

On a division and roll call vote, there voted for the amendment, Councillors Bell, Burns, Cullinane, Dickson, Easdale, Foster, Gallagher, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McPhater, McTiernan, Miller, Montgomerie, Donald Reid and Sweeney (19) and for the motion, Councillors Barr, Billings, Ferguson, Gallacher, George, Glover, Marshall and Stalker (8), Councillors McNicol and Murdoch abstaining, and the amendment was declared carried.

Accordingly, the Council agreed as follows:

- (a) to note that (i) since 2010, over £100million had been cut from the Council’s revenue budget in real terms, (ii) the £126million referenced in the motion was one-off investment to be invested over a decade and (iii) £126million was little over a third of the Council’s annual revenue budget;
- (b) to recognise that the investment being made through the Council’s own capital programme and housing revenue account capital programme was significantly higher than £126million over a decade;

- (c) to congratulate Council officers for developing successful projects in the Ayrshire Growth Deal and the B714 “Levelling Up” bid;
  - (d) that so called “Levelling Up” required more than one-off capital investment in traditional infrastructure projects, requiring a more fundamental shift in economic approach based on the principles of Community Wealth Building;
  - (e) that local government had a central role to play in this approach but was concerned that more than a decade of cuts had undermined local capacity within Councils; and
  - (f) that the Council continue to work collaboratively with both the UK and Scottish Government’s in our efforts to secure further investment that would help realise its ambitions for North Ayrshire.
- (4) a motion proposed by Councillor Ferguson, seconded by Councillor Marshall, in the following terms:

“That Council:

1. Notes that, 11 civil servants costing the taxpayer £700,000 p.a. have been assigned to work on the project to introduce legislation for a second independence referendum and believes these staff could be better employed working on how to close the attainment gap. And further
2. Agrees with the vast majority of people in Scotland that now is not the time to be undertaking this work. And finally
3. Asks the Chief Executive to write to the First Minister expressing grave concerns in relation to recent announcements that the Scottish Government have recommenced work on a second unwanted-independence referendum.”

As an amendment, Councillor Foster, seconded by Councillor Easdale, moved that the Council:

- “Notes that the original motion references staffing costs of £700,000 on 11 civil servants, and that £700,000 is close to the estimated final cost of the Conservative Group throughout this term
- Agrees that both sums could be better employed to serve the people of North Ayrshire
- Agrees that the role of local Councillors is to represent the interests of their constituents on the Council, primarily focusing on local matters of importance to the area and not on flags and the constitution and
- Agrees that the Chief Executive should write to the Leader of the Conservative Group expressing the concerns of members that the Conservative Group continues to indulge in flag-waving political gestures whilst delivering very poor value for money for the North Ayrshire taxpayer”

In response to various points of order in respect of the personal nature of elements included in the preamble to Councillor Foster's amendment, the Monitoring Officer asked that the Member curtail his remarks.

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

"Council notes:

1. That the failing Tory Westminster government, in a futile attempt to find any positives, has now introduced a complete government department for "Brexit Opportunities"
2. That this department will incur a massive drain on the public finances requiring, as it does, a full complement of civil servants, special advisers, expenses, accommodation and the concomitant salaries, capital and revenue expenditure far in excess of any Scottish Government department
3. That the servicing of this motion has already cost the taxpayers of North Ayrshire a considerable sum
4. That responsibility for constitutional issues does not lie with North Ayrshire Council and therefore I move that:

Council gives consideration to modifying standing orders to specifically exclude motions outside the remit of this Council to determine."

Members asked questions of clarification of the movers and seconders of the motion and amendment.

Councillor Foster was invited, in terms of Standing Order 14.5, to consider altering his amendment to include elements of the further amendment by Councillor Gurney, seconded by Councillor McClung, but declined to do so.

There followed debate and summing up.

On a division and roll call vote, there voted for the amendment by Councillor Foster, seconded by Councillor Easdale, Councillors Bell, Burns, Cullinane, Dickson, Easdale, Foster, Gallagher, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McPhater, McTiernan, Montgomerie, Donald Reid and Sweeney (18) and for the motion by Councillor Ferguson, seconded by Councillor Marshall, Councillors Barr, Billings, Ferguson, Gallacher, George, Glover, Marshall and Stalker (8), Councillors McNicol, Miller and Murdoch abstaining, and the amendment became the substantive motion.

On a further division and roll call vote, there voted for the further amendment by Councillor Gurney, seconded by Councillor McClung, Councillors Burns, Dickson, Gurney, Hill, Larsen, Macaulay, McClung, McMaster and McTiernan (9) and for the substantive motion by Councillor Foster, seconded by Councillor Easdale, Councillors Barr, Bell, Cullinane, Easdale, Foster, Gallagher, McPhater, Montgomerie, Donald Reid and Sweeney (10), Councillors Billings, Ferguson, Gallacher, George, Glover, Marshall, McNicol, Miller, Murdoch and Stalker abstaining, and the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to note that the original motion references staffing costs of £700,000 on 11 civil servants, and that £700,000 was close to the estimated final cost of the Conservative Group throughout this term;
  - (b) that both sums could be better employed to serve the people of North Ayrshire;
  - (c) that the role of local Councillors was to represent the interests of their constituents on the Council, primarily focusing on local matters of importance to the area and not on flags and the constitution; and
  - (d) that the Chief Executive should write to the Leader of the Conservative Group expressing the concerns of members that the Conservative Group continued to indulge in flag-waving political gestures whilst delivering very poor value for money for the North Ayrshire taxpayer.
- (5) a motion by Councillor Gallagher, seconded by Councillor Donald Reid, in the following terms:

“Scotrail currently led by Transport Scotland have just concluded a consultation to close station booking offices and, in our area, they propose to substantially reduce opening hours at our stations, causing concern that there will not be enough support to protect the security of the network and support vulnerable customers requiring assistance travelling.

We ask Council to agree that the Chief Executive should make formal representation to ScotRail’s Chief Executive and the Scottish Government’s Minister for Transport reaffirming North Ayrshire Council’s opposition to any potential future ticket office opening hours reductions or closures and any staff reductions.”

There being no amendment, the motion was declared carried.

The meeting ended at 8.05 p.m.