

North Ayrshire Council  
14 December 2022

At a Special Meeting of North Ayrshire Council at 5.10 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

**Present (Physical Participation)**

John Bell, Marie Burns, Joe Cullinane, Anthea Dickson, Stewart Ferguson, Todd Ferguson, Robert Foster, John Glover, Cameron Inglis, Margaret Johnson, Amanda Kerr, Christina Larsen, Shaun Macaulay, Tom Marshall, Jean McClung, Nairn McDonald, Matthew McLean, Louise McPhater, Ian Murdoch, Chloé Robertson, Ronnie Stalker, Angela Stephen and John Sweeney.

**Present (Remote Electronic Participation)**

Timothy Billings, Eleanor Collier, Scott Davidson, Tony Gurney, Alan Hill, Davina McTiernan, Montgomerie and Donald Reid.

**In Attendance**

C. Hatton, Chief Executive; C. Cameron, Director (Health and Social Care Partnership); R. McCutcheon, Executive Director (Place); A. Sutton, Executive Director and R. Arthur, Head of Service (Connected Communities) (Communities and Education); M. Boyd, Head of Service (Finance); F. Walker, Head of Service (People and ICT); and A. Craig, Head of Service, R. Lynch, Senior Manager (Legal Services) and L. Taylor, Team Manager (Legal); M. McColm, Senior Manager (Communications), M. Anderson, Senior Manager (Committee and Member Services) and H. Clancy and C. Stewart, Committee Services Officer (Democratic Services).

**Apologies**

Scott Gallacher and Donald L. Reid.

**Chair**

Provost Dickson in the Chair.

**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.

Councillor Montgomerie joined the meeting at this point.

## **4. Motions**

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

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

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

"The Council acknowledges that using non-recurring such as reserves to balance the Council's revenue budget increases the budget gap in the following year.

Council notes the approach adopted by the last administration of allocating one-off savings such as released reserves, refinanced loans and budget underspends to the Councils Investment Fund which has been used to support the development of the Council owned solar farms, Community Wealth Building, and the one-off cost-of-living support package.

Council believes the Investment Fund approach provides a strategic medium to long - term plan to make the Council more financially sustainable, making possible transformational projects like council owned renewable energy as well as emergency support to residents in times like the current cost-of-living crisis.

Council therefore agrees that unearmarked reserves should be set at 2% in the forthcoming budget for 2023-24 with any additional surplus (currently around £3.25million) and end-of-year underspend allocated to the Investment Fund to support initiatives such as the i3 renewable energy plan."

The Provost invited Councillor Larsen to move her amendment.

On a point of order, Councillor Billings suggested that amendments should be considered in the order in which they had been circulated previously in terms of Standing Order 15.2.

The Provost duly invited Councillor Marshall to move his amendment first.

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

"Council does not support this Motion and reaffirms that any surplus beyond the 2% for unearmarked reserves should not allocated to the Investment Fund and agrees that Political Groups should await the Settlement Agreement from the Scottish Government and then consider the use of any surplus as part of their Budget proposals."

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

There followed debate and summing up.

In terms of Standing Order 19.2, as there were two amendments, one of which involved the direct negative, 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, Billings, Cullinane, S. Ferguson, T. Ferguson, Foster, Inglis, Kerr, Marshall, McDonald, McLean, McPhater, Montgomerie, Donald Reid, Stalker, Stephen and Sweeney (17), and "not proceed", Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McClung, McTiernan and Robertson (12), Councillor Murdoch abstaining, and the decision to proceed was declared carried.

On a further division and a roll call vote, there voted for the remaining amendment, Councillors Billings, Burns, Collier, Davidson, Dickson, S. Ferguson, T. Ferguson, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, Marshall, McClung, McLean, McTiernan, Robertson, Stalker and Stephen (20), 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 as follows:

- (a) to reaffirm that any surplus beyond the 2% for unearmarked reserves should not allocated to the Investment Fund; and

- (b) that political groups should await the Settlement Agreement from the Scottish Government and then consider the use of any surplus as part of their Budget proposals.

## **5. Urgent Items**

There were no urgent items.

## **6. Provost's Closing Remarks**

The Provost closed the meeting by thanking Members for their participation and extending her best wishes to all for the festive season.

The meeting ended at 5.35 p.m.