

North Ayrshire Council
26 October 2011

IRVINE, 26 October 2011 - At a Meeting of North Ayrshire Council at 2.00 p.m.

Present

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

In Attendance

E. Murray, Chief Executive; C. Kirk, Corporate Director (Education and Skills); L. Friel and A. Herbert, Corporate Director (Finance & Infrastructure); J.M. Macfarlane, Head of Human Resources, J. Montgomery, General Manager (Policy and Service Reform); M. McKeown, Committee Services Manager and L. McEwan, Communications Manager (Chief Executive's Service).

Also In Attendance

B. White, Scottish Futures Trust.

Chair

Provost McPhee in the Chair.

Apologies for Absence

Elisabette Marshall, Margaret McDougall and Robert Rae.

1. Declarations of Interest

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

2. Minutes

The Minutes of (i) the previous meeting of the Council held on 7 September 2011; and (ii) the Special meeting of the Council held on 24 October, were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

Arising from the minute of 7 September, the Provost advised that she had authorised the convening of a special meeting of the Council to confer the Freemanship of North Ayrshire on former Councillor David Munn. Comments by Councillor Hunter with regard to the accuracy of the minute of 7 September were noted.

3. Scottish Futures Trust

Submitted report by the Chief Executive which provided Elected Members with information about the Scottish Future Trust (SFT).

The Executive, at its meeting on 1 March 2011, considered a report entitled "Scottish Futures Trust: Development of a Hub Initiative". The Executive agreed at that time (a) that the Council should engage with the hub initiative's South West Territory as a partner in principle; (b) that the Chief Executive communicate the final decision from the Council to the SFT via the Letter of Intent template; (c) to the Chief Executive identifying an appropriate responsible officer and a substitute to represent the Council on the South West Territory Board as the Senior Responsible Officer (SRO) for the Council; (d) that the SRO or substitute identified by the Chief Executive is given the appropriate delegated authority to take decisions on behalf of the Council, including signing the Memorandum of Understanding; (e) that a provisional pipeline of projects is agreed for the hub; and (f) to note that further progress on the development of the hub initiative in the South West Territory, including the outcome of a meeting between the Chief Executive and the SFT, would be reported to a future meeting of the Executive.

Subsequently, at its meeting on 24 May 2011, the Executive considered a further report detailing the governance arrangements for the South West hub Territory and agreed (a) to note the progress made by the SFT in developing a South West hub Territory; (b) to note the proposed governance structure; and (c) that a report be submitted to the next meeting of the Council regarding the proposed governance arrangements. The governance arrangements were subsequently approved at the meeting of the Council on 29 June 2011.

Mr Barry White, Chief Executive of the Scottish Futures Trust, was in attendance at the meeting. He presented information on the role of the SFT and its portfolio of projects, as well as background information on progress of the hub Initiative across Scotland, including the development of the South West hub. Members asked questions and received clarification in respect of the information presented.

Noted.

4. Leader's Report

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

- On the 28 September 2011, the Chief Executive and the Leader attended a meeting with Michael Moore MP, Secretary of State for Scotland at the GSK plant in Irvine. The meeting was a follow up to the youth unemployment summit held in February at which both The Secretary of State for Scotland and Ian Duncan Smith, Secretary of State for Work and Pensions, attended. Also at the meeting were representatives from across many business sectors. On Monday 3 October 2011, the Chief Executive and the Leader attended another meeting at the GSK plant. This meeting was with senior executives from GSK who are in the process of deciding where to invest £500m, with Irvine being one of four possible sites. John Swinney was also present at the earlier part of the meeting. The GSK investment is potentially part of the solution to tackling youth unemployment in the area and the Council, and others, will work with GSK to secure this investment.
- The Council, along with Social Investment Scotland and our local Job Centre Plus colleagues, have submitted a bid to the Innovation Fund. The basis of the Fund is that it will work like a Social Impact Bond, so an investor is required up front, and they will receive a payment and bonus, if the objectives are met. There have been over 500 bids to the Fund and 23 have been selected to submit further details. As this is a new fund Officers are examining ways of taking this forward.
- On 4 October 2011, the Minister for Local Government, Aileen Campbell MSP, visited the PRYDE Project in Kilwinning where she saw a good example of inter agency partnership working. The Minister then came to Cunninghame House where she met with the Council and our Community Planning Partners. The opportunity was taken to highlight the issues facing North Ayrshire and to press the case for additional funding and investment, in particular the upgrading of the A737.
- On 13 October 2001, a group of Councillors visited Auchenhavrie Academy where they were hosted by senior pupils. The Councillors were shown around the school building and then had lengthy discussions with the pupils on a wide range of issues. All Councillors who attended the event were impressed by what they saw and heard.

- The Council has made a significant improvement in managing sickness over the period April 2010 to March 2011. Sickness absence is one of the Council's statutory performance indicators and in the years leading up to April 2010, the Council did not perform well when benchmarked against other Councils - in 2009/10, only three out of 32 Councils performed less well than North Ayrshire. The Council's performance was reviewed by the Corporate Management Team early in 2010, resulting in a more pro-active approach in assisting people back to work. This approach has resulted in North Ayrshire Council moving from one of the lowest performing Councils to being the highest performing Council in 2010/11, with a 36% improvement in attendance and a reduction in ill health. The Leader acknowledged the efforts of all members of staff who have made this possible.

5. Committee Minutes

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

Irvine Area Committee: 31 August 2011

Moved by Councillor Sturgeon, seconded by Councillor Moffat (pages 1-3).

Appeals Committee: 8 September 2011

Moved by Councillor R. Barr, seconded by Councillor McNicol (pages 4-5).

Scrutiny Committee: 12 September 2011

Moved by Councillor Hunter, seconded by Councillor Dickson (pages 6-15).

Education Executive: 13 September 2011

Moved by Councillor Bell, seconded by Councillor Reid (pages 16-23).

The Executive of North Ayrshire Council: 13 September 2011

Moved by Councillor Reid, seconded by Councillor Gallagher (pages 24-37).

Kilwinning Area Committee: 15 September 2011

Moved by Councillor Ferguson, seconded by Councillor Chamberlain (pages 38-43).

Planning Committee: 20 September 2011

Moved by Councillor Currie, seconded by Councillor R. Barr (pages 44-47).

Local Review Body: 20 September 2011

Moved by Councillor Currie, seconded by Councillor R. Barr (pages 48-49).

North Coast Area Committee: 21 September 2011

Moved by Councillor Gallagher, seconded by Councillor Hill (pages 50-52), subject to Item 7.4 being revised to read that "The Committee.....agreed that a meeting be arranged with WRVS and Officers to discuss the matter" .

Garnock Valley and West Kilbride Area Committee: 22 September 2011

Moved by Councillor R. Barr, seconded by Councillor Dickson (pages 53-56).

Scrutiny Committee: 26 September 2011

Moved by Councillor Hunter, seconded by Councillor Dickson (pages 57-59).

The Executive of North Ayrshire Council: 27 September 2011

Moved by Councillor O'Neill, seconded by Councillor Gallagher (pages 60-72). The Chief Executive noted in relation to Item 9 in the minute that the Council had signed the Concordat of Local Authorities supporting the retention of the Clyde Coastguard Service.

Ardrossan and Arran, Saltcoats and Stevenston Area Committee: 29 September 2011

Moved by Councillor Gurney, seconded by Councillor Gibson (pages 73-76), subject to the inclusion of a reference that Councillor Gurney had voiced concerns about the allocation of grant funding to support ongoing revenue costs of applicants.

Licensing Committee: 4 October 2011

Moved by Councillor Gibson, seconded by Councillor R. Barr (pages 77-81).

Staffing and Recruitment Committee: 7 October 2011

Moved by Councillor O'Neill, seconded by Councillor Dickson (page 82).

Scrutiny Committee: 10 October 2011

Moved by Councillor Hunter, seconded by Councillor Dickson (pages 83-90).

The Executive of North Ayrshire Council: 11 October 2011

Moved by Councillor O'Neill, seconded by Councillor Gallagher (pages 91-102).

Planning Committee: 11 October 2011

Moved by Councillor McLardy, seconded by Councillor Currie (pages 103-107).

Irvine Area Committee: 12 October 2011

Moved by Councillor Sturgeon, seconded by Councillor Moffat (pages 108-115).

6. Questions

Councillor Hunter advised that as the matter raised in his question had been discussed at the meeting of the Education Executive on 25 October 2011, he would withdraw the question.

Noted.

7. Motions

In terms of Standing Order 13, there was submitted a motion by Councillor Currie and seconded by Councillor McNamara in the following terms:-

"NAC contribute, from the Education budget, to the annual operating costs of Brodick Castle and Country Park (BCP). The property, owned by National Trust for Scotland, is reckoned to bring in £1m/ per annum to the tourism economy of Arran and North Ayrshire.

The gardens, which contain a number of rare plant species, are a large part of the visitor attraction. In the last 5 years the gardens have been victim of a notifiable plant disease called phytophthora. Government policy dictates a slash and burn treatment which entails shutting off infected areas from the public for a length of time. The cost to NTS (though not from the joint budget with NAC) was approx. £125k in the last year and the consequent loss of visitors to the gardens is harder to assess.

In England but not in Scotland there is compensation from the Government for the costs of replanting areas deemed to be clear of the disease. The Scottish Government (SG) pays only for the testing of samples for phytophthora. The disease is particularly prevalent in the West of Scotland due to the dampness of the climate and can affect species of trees within forestry plantations with obvious adverse implications for the timber industry.

A change of policy is called for in Scotland because the present policy is failing to contain the disease which is becoming prohibitively expensive for those dealing with infestations.

I move that the Council agrees that a representation be made to the Minister for the Environment, Stewart Stevenson MSP, asking (a) that a form of monetary compensation should be paid in Scotland as in England; and (b) that the present policy and its effectiveness in controlling this disease be examined urgently."

Councillor McNamara, as seconder, was heard in support of the motion. Members asked questions of Councillor Currie on the substance of the motion.

As an Amendment, Councillor Gurney, seconded by Councillor Gallagher, moved that the terms of the motion be revised to read "...that a representation be made to the Minister for the Environment, Stewart Stevenson MSP, asking (a) that the Scottish Government help Brodick Country Park as a site of special local interest; and (b) that the present policy and its effectiveness in controlling this disease be examined urgently." On a division there voted for the amendment 16, and for the motion 11, and the amendment was declared carried.

Accordingly, the Council agreed that a representation be made to the Minister for the Environment, Stewart Stevenson MSP, asking (a) that the Scottish Government help Brodick Country Park as a site of special local interest; and (b) that the present policy and its effectiveness in controlling this disease be examined urgently.

8. An Investment Framework in Response to Hunterston A Decommissioning: Opportunities for North Ayrshire - Our Economy & Our People

Submitted report by the Chief Executive on the final preparations of an Investment Framework for submission to the Nuclear Decommissioning Authority to take advantage of the decommissioning process in North Ayrshire.

On 7 September 2011, the Council considered a report on the preparations of an Investment Framework for submission to the Nuclear Decommissioning Authority (NDA) to mitigate against the impact of the decommissioning process in North Ayrshire. The Council agreed (a) that a Members' Seminar be arranged to present the Investment Framework in more detail; (b) that meantime any Members wishing to comment on the Investment Framework submit comments in writing to the Chief Executive; and (c) the submission of the Investment Framework to the NDA thereafter, subject to any further input from the Hunterston Site Stakeholders Group.

No written comments on the Investment Framework were received from Elected Members prior to the Seminar which was held on 3 October 2011. 18 Elected Members attended the Seminar, where they were given a presentation which detailed the impact of decommissioning, the structure and key aims of the Investment Framework and suggested project interventions. Projects and investment priorities require to be aligned to NDA social economic fund priority investment themes. Projects also require to have clear strategic linkages, be deliverable, include leverage of funding from other sources, have the potential to build community capacity and investment, and be sustainable in the long term.

The Chief Executives of the Council and Irvine Bay Regeneration Company have met with the NDA's Socio Economic Officer to discuss the Investment Framework further. A meeting was also held with the Hunterston Site Stakeholders Socio Economic Sub Group on 19 October at which the Investment Framework was discussed. The HSSG agreed that five projects (i. NASA, ii. Key Fund, iii Marine Biological Station, iv. Ardrossan Quayside Offices; and v. Tourism Growth Programme) provided an opportunity for 'quick wins' or early applications given that mechanisms are in place to implement these projects, or their delivery requires match funding within the short term to allow other funding sources to be confirmed.

Members asked questions and received clarification on the agreed projects. It was noted that the opportunity existed for other projects identified in the Investment Framework, or otherwise, to be taken forward at a future date.

The Council agreed (a) to endorse the Investment Framework as the basis of work with the HSSG and NDA; and (b) that the Investment Framework is submitted to the NDA along with details of the five projects outlined in paragraph 2.4.

9. Sixth Review of UK Parliamentary Constituencies: Publication of Initial Proposals

Submitted report by the Chief Executive of the Boundary Commission for Scotland's initial proposals for UK Parliamentary Boundaries.

The UK Parliament has decided to reduce the number of UK Parliament constituencies from 650 to 600. In Scotland, this means there will be 52 constituencies instead of 59. The Boundary Commission for Scotland has published its initial proposals for UK Parliamentary Constituencies in Scotland. Due to the reduction in the number of constituencies and the requirement for nearly equal numbers of electors in each constituency, the Commission state that it has not been possible to leave constituencies as they currently are. In developing its initial proposals across Scotland, the Commission has tried to minimise the number of constituencies which combine parts of different council areas.

Currently the area of North Ayrshire falls across two Parliamentary Boundaries - North Ayrshire and Arran, and Central Ayrshire. Under the Commission's new proposals, the area of North Ayrshire will fall across two new constituencies being North Ayrshire and Arran, which will be wholly within North Ayrshire, and Renfrewshire South and Largs. Council wards 1-5 will form North Ayrshire and Arran and wards 6-8 will form part of Renfrewshire South and Largs Constituency. Maps showing the proposed new constituencies were appended to the report.

Publication of the initial proposals will be followed by a consultation period of 12 weeks lasting until 4 January 2012. During November 2011, the Commission will be holding five public hearings throughout Scotland to explain its proposals and to give an opportunity to those who wish to make comments on the proposals. A hearing will take place in Glasgow on 22 November.

The Commission's proposals have been advertised in the local press and are available for public inspection at various locations across North Ayrshire. Political parties and others will have the opportunity to submit their own comments directly to the Commission. Whilst there is no specific requirement on the Council to respond to the consultation, it was proposed that the terms of a draft response be prepared, following consultation with Elected Members, and submitted to the next ordinary meeting of the Council for approval.

The Council agreed that the Chief Executive report to the next ordinary meeting of the Council on the terms of a proposed response to the consultation paper.

10. Annual Accounts 2010-11

In terms of Section 6(1) of the Local Authority Accounts (Scotland) Regulations 1985, submitted certified Annual Accounts for the year ended 31 March 2011.

Noted.

11. North Ayrshire Community Health Partnership (CHP): Approved Minutes of Meeting held on 25 August 2011

Submitted report by the Chief Executive on the Approved Minutes of the Meeting of the North Ayrshire Community Health Partnership (CHP) held on 25 August 2011.

Noted.

12. North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held on 15 September 2011

Submit report by the Chief Executive on the Minutes of the Meeting of the North Ayrshire Community Planning Partnership (CPP) Board held on 15 September 2011.

Noted.

13. Valedictory: Mr Alasdair Herbert

The Provost advised Members that Mr Alasdair Herbert, Corporate Director (Finance and Infrastructure), would be retiring from the Council with effect from Friday 29 October 2011.

On behalf of the Council, the provost thanked Mr Herbert for his years of service since taking up a position with the Council in 1995 and wished him the very best for the future. Members of the Council joined the Provost in paying tribute to Mr Herbert.

Mr Herbert thanked the Provost and Members present for their kind words.

The Meeting ended at 3.30 p.m.

Signed in terms of Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.
Signed By:
Date: