

North Ayrshire Council
25 September 2019

IRVINE, 25 September 2019 - At a Meeting of North Ayrshire Council at 2.00 p.m.

Present

Ian Clarkson, Robert Barr, John Bell, Timothy Billings, Joy Brahim, Marie Burns, Joe Cullinane, Scott Davidson, Anthea Dickson, John Easdale, Todd Ferguson, Robert Foster, Alex Gallagher, John Glover, Tony Gurney, Alan Hill, Christina Larsen, 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, Angela Stephen and John Sweeney.

In Attendance

C. Hatton, Chief Executive; L. Friel, Executive Director (Finance and Corporate Support); S. Brown, Director (Health and Social Care Partnership); R. McCutcheon, Executive Director (Place); A. Sutton, Executive Director (Interim) (Communities); K. Yeomans, Director (Growth and Investment); and A. Craig, Senior Manager (Legal Services), M. McColm, Communications Manager; D. McCaw and E. Gray, Committee Services Officers and M. Anderson, Committee and Member Services Manager (Chief Executive's Service).

Chair

Provost Clarkson in the Chair.

Apologies

Scott Gallacher and Margaret George.

1. Provost's Remarks

The Provost welcomed those present to the meeting and dealt with preliminary matters, which included an announcement that the Council meeting would be webcast.

The Provost also took the opportunity, on behalf of the Council, to welcome Councillor Donald L. Reid to the meeting following his recent ill health.

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 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 Meeting held on 26 June 2019 was confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

5. Provost's Report

Submitted report by the Provost for the period from 7 May – 16 June 2019.

The Provost highlighted the following elements of his written report:

- the launch of the Beehavin' Project in Garnock Campus on 19 June;
- the ground-breaking event at Flatt Road Largs which took place on 24 June where 122 new homes are being built;
- the launch of Trinity Active Travel Club in Irvine on 25 June;
- the Scottish Parliament's 20th Anniversary celebration held on 29 June 2019;
- the Armed Forces Day Parade and Service which took place on 30 June in Irvine;
- the 5th Annual Eid Fellowship Dinner which took place on 13 August in Edinburgh and was arranged by The Scottish Ahlul Bayt Society;
- attendance at North Ayrshire's two main festivals this summer, namely the Marymass Festival in Irvine and the Viking Festival in Largs;
- Greenwood Academy and Irvine Royal Academy prizegiving ceremonies;
- the Syrian Crafts and Culture Exhibition which took place in the Heritage Centre Saltcoats on 2 September;
- the 'Garnock Valley Carves' event, now in its second year, which was held in Beith on 7 September; and
- a coffee morning in aid of Macmillan Cancer Support, to take place in Irvine Townhouse from 10am -12noon on Friday 27 September 2019

Noted.

6. Leader's Report

Submitted report by the Leader of the Council for the period from 7 May – 16 June 2019.

Noted.

7. Council Minute Volume

Submitted for noting, the Minutes of meetings of committees of the Council held in the period 24 April 2019 – 10 September 2019.

Noted.

8. Decriminalised Parking Enforcement and the Introduction of Car Parking Charges

Submitted report by the Chief Executive which invited the Council to determine its position on the introduction of car parking charges on Arran and the inclusion of the island within a Decriminalised Parking Enforcement application to the Scottish Government. Appendices 1-4 of the report set out the report to Cabinet of 11 June 2019, the report to Audit and Scrutiny Committee of 27 June 2019, an extract of the Minute of the Audit and Scrutiny Committee of 27 June 2019 and supplementary information provided to the Cabinet meeting of 27 August 2019.

This matter was originally the subject of a report to the Cabinet on 11 June 2019. Thereafter, the decision taken by Cabinet was the subject of a call-in to the Audit and Scrutiny Committee on 27 June 2019, which sought agreement that parking charges should not be introduced to Brodick and that enforcement of parking on Arran should remain under the control of the Police. The Audit and Scrutiny Committee agreed with the terms of the Call-In and referred the matter back to Cabinet for further consideration. Cabinet, at its meeting on 27 August 2019, agreed to accept only in part the recommendation of the Audit and Scrutiny Committee to reconsider its earlier decision. Therefore, in terms of Standing Order 24.7, the matter was referred to the Council for determination.

Members asked questions, and received clarification, on matters relating to parking provision and the introduction of parking charges on the mainland.

Councillor Cullinane, seconded by Councillor Bell, moved that the Council agree (a) to include Arran within the Decriminalised Parking Enforcement application to the Scottish Government; and (b) not to introduce parking charges on Arran.

As an amendment, Councillor Billings, seconded by Councillor McMaster, moved that the Council uphold the recommendation of the Audit and Scrutiny Committee that parking charging should not be introduced in to Brodick and that Arran be excluded from the Decriminalised Parking Enforcement application.

Following questions, debate and summing up, on a division there voted for the amendment 13 and for the motion 16, and the motion was declared carried.

Accordingly, the Council agreed (a) to include Arran within the Decriminalised Parking Enforcement application to the Scottish Government; and (b) not to introduce parking charges on Arran.

9. Appointments Committee

The Chief Executive advised of non-Elected Member appointments by the Ayrshire Regional Economic Joint Committee to serve on the Joint Committee and Ayrshire Regional Economic Partnership Sub-Committee.

The Council agreed to note (i) the appointment of Carol Turnbull (Ayrshire College) as an Education sector representative on the Ayrshire Regional Economic Joint Committee and Adrian Gillespie and Tim Bedford (both University of Strathclyde) as a representative and named substitute, respectively, on the Ayrshire Regional Economic Partnership Sub-Committee (the “Partnership Board”).

10. Annual Review of Governance

Submit report by the Chief Executive on the review of the key Governance documentation regulating the operation of Council, its Committees and Officers and to report on a self-assessment review of the Audit and Scrutiny Committee. Appendices 1-4 of the report set out the proposed revised Standing Orders for Meetings and Proceedings of the Council, Scheme of Administration, Scheme of Delegation to Officers and Financial Regulations, respectively.

Councillor Cullinane, seconded by Councillor Bell, moved that the Council approve the revised governance documents set out at Appendices 1-4 of the report, with effect from 1 November 2019.

As an amendment, Councillor Hill, seconded by Councillor Gurney, moved that the Council approve the revised governance documents set out at Appendices 1-4 of the report, with effect from 1 November 2019, subject to the notice period for lodging motions and questions, as set out in the Standing Orders for Meetings and Proceedings of Council, being extended to 2.00 p.m. on the Monday of the week prior to Council, and not to 2.00 p.m. a fortnight before Council, as proposed.

In terms of Standing Order 14.5, the mover and seconder of the motion agreed to withdraw their motion in favour of the amendment, which became the substantive motion.

As an amendment, Councillor Macaulay, seconded by Councillor Larsen, moved that the Council approve the terms of the substantive motion, subject to the inclusion of a provision that, in the event of the Provost exercising his right to change the start time of a Council meeting to 1.00 p.m. due to the volume of business, Members receive a minimum of 48 hours’ notice.

Following clarification of the existing requirement to give three clear days’ notice of meetings, the mover and seconder of the amendment agreed, in terms of Standing Order 14.5, to withdraw their amendment.

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

Accordingly, the Council agreed to approve the revised governance documents set out at Appendices 1-4 of the report, with effect from 1 November 2019, subject to the notice period for lodging motions and questions, as set out in the Standing Orders for Meetings and Proceedings of Council, being extended to 2.00 p.m. on the Monday of the week prior to Council, and not to 2.00 p.m. a fortnight before Council as proposed.

11. Committee Timetable 2020

Submitted report by the Chief Executive on the proposed committee timetable for 2020. The draft timetable was set out at Appendix 1 to the report.

The Council agreed to approve the Committee timetable for 2020 as set out at Appendix 1 to the report.

12. Ardrossan North Shore: Proposed Education and Community Campus

Submitted report by the Interim Executive Director (Communities) on (a) the Scottish Government announcement to include the Ardrossan Education and Community Campus proposal in the initial phase of investment in Scotland's Learning Estate Strategy; (b) the proposed inclusion of a new swimming pool in the Statutory Public Consultation proposal for a new education and community campus, located at North Shore, Ardrossan; (c) the proposal to explore the option for community use and/or ownership of the swimming pool building at Auchenharvie Leisure Centre, subject to the outcome of the Statutory Public Consultation on the proposal to develop a new education and community campus at Ardrossan; and (d) the timetable for the Statutory Public Consultation on the proposal to develop a new education and community campus at Ardrossan.

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

- an apparent contradiction in a set of figures referred to in the covering report and those contained in an appendix to the report;
- the extent of remedial works which would be required;
- whether the proposed campus would incorporate a fitness suite;
- the ethnographic element of the research method used;
- public transport issues in respect of the proposed site; and
- the extent to which the proposed gym and pool would be open to the public.

The Interim Executive Director (Communities) provided clarification that the consultation responses cited at section 2.8.9 of the report were correct and that those referred to in table 3 of Appendix 4 had been transposed in error.

Councillor Cullinane, seconded by Council Bell, moved that the Council approve the recommendations set out in the report, subject to the amendment of recommendation (d) to read as follows:

- (d) authorise officers to explore the option of community use and/or ownership of the swimming pool building at Auchenharvie Leisure Centre, subject to the outcome of the Statutory Public Consultation on the proposal to develop a new education and community campus at Ardrossan, and agrees to recruit a dedicated community development officer for Stevenston and to ringfence the demolition budget provision within the Campus business case to support this option.

As an amendment, Councillor Gurney, seconded by Councillor McMaster moved that the Council approve the recommendations set out in the officer's report, subject to the addition of a further provision, namely:

- (h) instruct officers to distribute information to Members of the Ardrossan and Arran Ward on a confidential basis contemporaneously with information shared with the Administration."

As a further amendment, Councillor McNicol, seconded by Councillor Barr, moved that the Council approve the recommendations set out in the report, subject to the deletion of the words "located at North Shore Ardrossan" at the end of recommendation (b) and the addition thereafter of "and furthermore that officers bring forward proposals for suitable alternative sites to accommodate a new Ardrossan Education and Community Campus."

As a further amendment, Councillor Sweeney, seconded by Councillor Miller, moved that the Council:

- (a) note the outcome of the swimming pool community engagement exercise;
- (b) agree to progress the Statutory Public Consultation proposals for a new education and community campus at Ardrossan, but removes the proposed inclusion of a swimming pool within this campus;
- (c) instruct officers to bring forward proposals to enable the refurbishment of Auchenhavrie swimming pool as part of North Ayrshire Council's budget setting exercise;
- (d) note the timeline for Statutory Public Consultation, authorising officers to finalise and implement this; and
- (e) note that the final decision on the Statutory Public Consultation will be taken by Council.

As a further amendment, Councillor McClung, seconded by Councillor Larsen, moved that the Council approve the recommendations set out in the report, subject to the addition of a further provision, namely:

- (h) that officers explore the opportunity to create the most energy efficient campus possible, including the possibility of making a bid to the newly announced Scottish Low Carbon Heat Fund.

As a further amendment, Councillor Davidson, seconded by Councillor McTiernan moved that the Council approve the recommendations set out in the report, subject to the amendment of recommendation (d) to add "keeping it open for as long as the infrastructure is viable", to read:

- (d) authorises officers to explore the option of community use and/or ownership of the swimming pool building at Auchenhavie Leisure Centre, keeping it open for as long as the infrastructure is viable, subject to the outcome of the Statutory Public Consultation on the proposal to develop a new education and community campus at Ardrossan.

In terms of Standing Order 5.7, the Provost intimated a recess at 3.20 p.m. to allow Members to consider the terms of the motion and amendments.

The meeting reconvened at 3.55 p.m. with the same Members and Officers present and in attendance.

In terms of Standing Order 14.5, the mover and seconder of the motion agreed to alter their motion to incorporate the amendments proposed by Councillors Davidson, Gurney and McClung. The movers and seconders of the relevant amendments agreed to withdraw their amendments in favour of the revised motion proposed by Councillor Cullinane and seconded by Councillor Burns.

The Chief Executive and the Senior Manager (Legal Services) provided advice on the possible adverse implications, in terms of funding and the viability of the project, of the Council either selecting a site other than that which had been discussed with the Scottish Government or not including a pool as part of the proposed campus.

In terms of Standing Order 5.7, the Provost intimated a short recess at 4.00 p.m.

The meeting reconvened at 4.05 p.m. with the same Members and Officers present and in attendance.

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

- the potential funding implications of selecting an alternative site;
- arrangements for the remediation of the site and reassurance regarding its safety; and
- the apparent relocation of soil samples from the Cunninghame Housing Association site to the proposed site of the campus

The Chief Executive undertook to arrange for a report to be submitted to a future meeting on the detailed arrangements for remediation of the North Shore, Ardrossan, site.

Following debate and summing up, on a division, there voted for the amendment by Councillor McNicol, seconded by Councillor Barr, 3, and for the motion by Councillor Cullinane, seconded by Councillor Burns, 23, and the motion became the substantive motion.

On a further division, there voted for the amendment by Councillor Sweeney, seconded by Councillor Miller, 2, and for the substantive motion 23, and the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to note the outcome of the swimming pool community engagement exercise;
- (b) approve the recommendation that the swimming pool be included within the Statutory Public Consultation proposal for a new Ardrossan Education and Community Campus, located at North Shore, Ardrossan;
- (c) note that the ice-rink and fitness suite currently at Auchenharvie Leisure Centre will remain at that facility;
- (d) authorise officers to explore the option of community use and/or ownership of the swimming pool building at Auchenharvie Leisure Centre in the meantime keeping it open for as long as the infrastructure is viable, subject to the outcome of the Statutory Public Consultation on the proposal to develop a new education and community campus at Ardrossan; and agrees to recruit a dedicated community development officer for Stevenston and to ringfence the demolition budget provision within the Campus business case to support this option.
- (e) note the information contained within the site investigation report by Envirocentre (non-technical summary);
- (f) note the timeline for Statutory Public Consultation, authorising officers to finalise and implement this;
- (g) note that the final decision on the Statutory Public Consultation will be taken by Council;
- (h) instruct officers to distribute information to Elected Members representing the school catchment area on a confidential basis contemporaneously with information shared with the administration; and
- (i) that officers explore the opportunity to create the most energy efficient campus possible, including the possibility of making a bid to the new announced Scottish Low Carbon Heat Fund.

13. Questions

In terms of Standing Order 12, submitted:

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

"How does one reconcile the fact that there are over 90 persons awaiting a care at home package, 50 persons awaiting an increase in their care packages and almost 50 persons awaiting a Self-Directed Payment, with a projected end of year deficit of ca. £2.8m in the HSCP Budget?"

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

"I can confirm that whilst there is a projected overspend in the Health and Social Care Partnership budget, as of period four this has now come down to £1.9 million and the IJB will, tomorrow, discuss and agree a mitigation plan to manage this down by the end of the financial year.

The demands for social care services in particular remains very high, with the Partnership currently facilitating an average of 47 Care at Home packages every week from Crosshouse Hospital alone. In addition to this, we support over two thousand people to live safely at home through our Care at Home service and over 5000 people utilising assistive technologies alongside our Community Alert Service. We currently support approximately 800 people to live within a nursing or residential care home setting and over approximately 130 people are supported via Direct Payments. Whilst it is true that our Direct Payments waiting list was over 50 earlier this year, there are presently 11 people waiting on this funding being released. All of our waiting lists are actively managed to ensure that resources can be released to those most in need, as soon as is possible.

We provide support to approximately 400 people with physical conditions, learning disabilities and mental illness to live safely at home via a variety of person-centred supports. In addition, we have approximately 400 young people supported via statutory orders to the Children's Hearing with some of these young people requiring care in expensive resources to ensure their safety.

The IJB's aim to provide greater support via prevention and early intervention is a strategy that takes time to achieve. Whilst we have made significant in-roads in many areas of service, we still require to ensure that those most in crisis and most ill are supported effectively.

Providing high quality supports and services to everyone who needs them, within a finite and, in real terms, reducing budget, is undoubtedly challenging. Nevertheless, the IJB and the Partnership team continue to manage the resource as best they can to meet the needs of those requiring care, support and protection."

As a supplementary question, Councillor Marshall referred to increasing demand for free personal care and the diminishing real terms budget, and asked how this problem could be solved.

Councillor Foster responded by suggesting that the only way to fund services was to end Austerity and for the Scottish Government to provide adequate funding to Councils.

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

"Can the Cabinet Member for Place please clarify the current policy regarding dogs being allowed within Children's Playparks"

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

"Our policy is that dogs are not allowed in play parks. There are signs in a number of our play parks advising that 'no dogs are allowed'".

As a supplementary question, Councillor Ferguson asked if the Cabinet Member would work with him to ensure that there was appropriate signage in all our playparks.

Councillor Montgomerie responded in the affirmative.

- (3) a question by Councillor Marshall to the Chair of Audit and Scrutiny in the following terms:

"Is the Chair of Audit exhibiting hyperbole when endorsing the recent Audit Committee Agenda Item 11- Planning for EU Exit Appendix 2 " no Deal EU Exit - Impacts on North Ayrshire" where at Number 19 the claims were made that " Extreme right wing groups may exacerbate racial tension" and would give rise to "recurrence of Irish troubles - greater sectarian impacts in West Scotland including North Ayrshire" - or is the Chair just being irresponsible?"

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

"A key role of Audit and Scrutiny Committee is to consider assurance, to ensure the Council has adequate plans in place to identify and deal with risk. Regardless of what one feels about EU Exit, this is a significant issue for North Ayrshire, its people, businesses and Council services. Therefore, on 10 September 2019 the Committee considered a report by the Head of Democratic Services on the Council's planning arrangements for a 'no-deal' exit from the European Union. Appendix 1 to the report detailed the potential reasonable worst-case scenarios of a no-deal EU Exit. All risks were scored 1-5 for likelihood and impact. The risk to which Councillor Marshall refers as being exaggerated, was that relating to Resilience, Crime and Protest. This was one of the lower scoring risk, scoring 8 (2 for likelihood and 4 for impact). This compares to the risk to the economy that scored 20 (4 for likelihood and 5 for impact).

It is worth pointing out that the decision of the Committee was to note the report. There were no amendments and the decision of the Committee was unanimous. Every Member of the Committee, including Councillor Marshall agreed to the decision."

As a supplementary question, Councillor Marshall asked whether the Chair of the Audit and Scrutiny Committee agreed with him that it was unwise to raise such issues as the possibility of racial tension and 'Irish troubles'.

Councillor Burns responded by commenting that the report in question was 24 pages long and it was Councillor Marshall who was being irresponsible in choosing to raise only the matter of racism and sectarianism.

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

"Will the Portfolio Holder for Place inform Members if there has been any time over the past 30 days when any CCTV camera(s) operated by North Ayrshire Council as part of the scheme to enhance public confidence and prevent crime has not been operational: if so which camera(s) and what was the duration of the period during which the camera(s) did not function?"

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

"North Ayrshire Council currently operates 143 Public Space CCTV cameras and works closely with Police Scotland to prevent incidents of crime and antisocial behaviour and intervene early when they occur.

Over the 30-day period there were nine camera faults reported. Whilst timescales differ depending on the nature of the fault, all were responded to within 12 hours, with remedial work undertaken to have them operational.

Publicly disclosing the exact location of cameras that are out of service at any time could encourage criminal or anti-social behaviour as our CCTV cameras act as a deterrent, even when they are not operational for a period of time."

As a supplementary question, Councillor McNicol asked the Cabinet Member to explain why no CCTV camera appeared to have recorded an incident reported to him by shop staff on Dockhead Street, Saltcoats, where a man lowered his trousers in public and walked through the shopping area on 26 August 2019.

Councillor Montgomerie responded by advising he was unaware of the incident in question and could not, therefore, comment on it. He referred to improvements in the CCTV service, advising that camera usage had increased by 36% over the last 12 months. Councillor Montgomerie added that Police Scotland had formally noted their thanks for the improvement in the service since North Ayrshire Council took over responsibility for its management and monitoring.

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

“On the 9th September the Scottish Government - via the Scottish Futures Trust Programme - confirmed they would give financial backing to North Ayrshire Council for a new Educational and Community facility at the North Shore site in Ardrossan.

Will the Portfolio Holder for Education inform members what other sites were considered for this facility, why were Local Elected Members not informed or consulted on sites, and who made the decision on the preferred site being North Shore in Ardrossan?”

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

“A site selection exercise was carried out by an officer working group during 2018. This group considered seven potential sites within the Ardrossan settlement boundary. Four of the sites were immediately discounted given their limited size and inability to accommodate a campus proposal.

The remaining three sites (North Shore, the existing Ardrossan Academy site and Laighdykes playing fields) were then assessed against criteria including location, cost, design potential, traffic management, planning, regeneration and impact on education. The inclusion of Winton Primary School into the campus meant that the preferred site had to be located in the catchment of both Ardrossan Academy and Winton Primary. That ruled out the Laighdykes playing fields (which in addition raised concerns over planning and environmental impact/loss of open space).

The North Shore site scored highest against these criteria, particularly in terms of regeneration and impact on education. The site has the size required to develop an innovative campus capable of securing Scottish Government Scottish Futures Trust funding. It would also see the development of a site which has been vacant for over 30 years, and which would make a major contribution to a wider programme of regeneration within central Ardrossan. Cost was also considered to be lower given a combination of the funding potentially available from SFT (since secured), and the cost of accommodating pupils within temporary accommodation should an on-site redevelopment be considered.

Papers were presented to Cabinet on 15 January 2019 and 11 June 2019 which included the intention to develop a new campus facility at the north shore site. The reports recommended that proposals be further developed and that officers proceed to engage with the public on the proposals. A significant engagement process has since been undertaken, with the statutory engagement process to follow. A final decision on the proposal will be taken by Council in 2020 following the statutory consultation process.”

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

“Was the Leader of the Council advised of an increase in civic disturbances occurring in Dalry recently and what work is being undertaken to eradicate antisocial behaviour within our communities?”

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

“Residents from Dalry recently contacted the Scottish Government regarding an issue of antisocial behaviour at the Dalry train station and were advised to speak to both the Transport Police and the local authority, which they duly did.

The railway station CCTV cameras are monitored by Scotrail and the Transport Police. As a result, the Council’s Antisocial Behaviour Team will only be involved in incidents if Police Scotland request their support. No request for support has been received to date.

There are two public space CCTV cameras in operation within Dalry. The cameras have been used 157 times in the last 12 months to assist with Police Scotland enquiries. The Antisocial Behaviour Team has had no requests for support following initial enquiries.

The Antisocial Behaviour Team, including the CCTV service, work alongside Police Scotland and wider community planning partners to tackle low level crime and antisocial behaviour, with a focus on prevention and early intervention.

The Prevention First group, chaired by Police Scotland, meet to consider intelligence gathered from various sources including:

- Police crime reports
- Elected member concerns and complaints
- Issues raised by tenants and residents
- ASB complaints
- Issues raised by the business community
- Concerns highlighted by housing providers
- Scottish Fire and Rescue concerns
- Issues raised across the partnership from professional bodies

The partners consider the levels and impact of crime and antisocial behaviour, drawing on the shared evidence to determine emerging priorities. The partners then work together to determine the most effective way to deploy their services to minimise risk, crime and harmful behaviour.”

As a supplementary question, Councillor Ferguson referred to two consecutive weekends of anti-social behaviour in Dalry and to significant cuts in the number of Police officers which Deputy Chief Constable Kerr had last month said would have a detrimental impact on operational resilience and capacity. Councillor Ferguson asked, given the announcement that the Scottish Government had requested a further £52m from the UK government in relation to Brexit preparations (in addition to the £92m already allocated), if the Leader of the Council could advise how much funding had been allocated to North Ayrshire from the original £92m and if the Leader would write to the Cabinet Secretary for Finance, Economy and Fair Work to ask that funding be ringfenced.

Councillor Cullinane responded by advising that every local authority in Scotland had received £50k from the first tranche of funding, and that COSLA continued to make representations that this amount was insufficient and that a needs-based assessment was required. The Leader expressed the view that the answer to underfunding of the Police service was an end to Austerity and that the quickest way to achieve this was via an election and a change of UK government.

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

"I am sure we are all grateful to the SNP-led Scottish Government for prioritising the building of a new Ardrossan Academy, as without this intervention such a project could not be achieved at this time. I would like to ask the Cabinet member for Education to provide an accurate figure for the amount of money pledged by the Scottish Government."

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

"The Council is working closely with the Scottish Government and the Scottish Futures Trust to finalise the details of the proposal. The funding model which supports the Scottish Government Learning Estate Strategy requires Councils to borrow the value of the Scottish Government's contribution, with the Scottish Government providing a 25-year revenue funding stream to meet the costs of this. The estimated value of this is £24.4m."

As a supplementary question, Councillor McClung asked whether the Cabinet Member could confirm that the total budget available for the project would cover the cost of site remediation work.

Councillor Bell responded by indicating that he certainly hoped this would be the case. The Cabinet Member added that the project represented a great opportunity for North Ayrshire and its young people and communities, and that it was the duty of Elected Members to ensure the safety of our young people.

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

"Can the Cabinet Member please confirm the total amount spent on the recent refurbishment of the gym at Harvies Leisure Centre, and further, break down the cost on the amounts spent individually on:

- 1) Building construction and all associated costs.
- 2) The gym equipment/machines.
- 3) Any other costs involved"

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

"The costs for the refurbishment and extension of the gym at Auchenharvie Leisure Centre can be broken down as follows:

- Professional fees £2,208 – including site and demolition surveys, structural design package and building warrant.
- Gym refurbishment and extension £37,156 – including down takings, structural alterations, electrical and mechanical works, joinery works, new ceilings, partial new flooring, refurbishment of existing flooring, and decoration
- Changing room and stairwell refurbishment £15,034 – including new sanitary ware, installation of wet wall, new showers, new shower ceiling, installation of new drainage, joinery, electrical and mechanical works, installation of a new air conditioning unit and decoration
- Supply of new changing room benches £1,423
- Fitness equipment purchase £145,777."

As a supplementary question, Councillor Davidson expressed the view that the money had been well-spent and asked for the Cabinet Member's reassurance that the future of the gym and ice rink at Harvies was secure.

Councillor McPhater responded in the affirmative.

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

"Question to the Leader of the Council:

The ongoing issues with the reliability of the Arran Ferry are well known, added to which at the Council meeting in May 2019 the Council voted that it would be acceptable to have additional disruption whilst the harbour at Ardrossan is being redeveloped. Both these factors are likely to cause significant disruption to the Arran ferry service over the next 2 years at least. How will the Council ensure that the residents on Arran will have equality of access to the full range of Council and health services during this period of increased disruption to the ferry service?"

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

“Proposals for the redevelopment of Ardrossan Harbour continue to be developed by the Ministerial Task Force. The Task Force agreed a preferred option for the redevelopment works including the realignment of the harbour in February 2019, and it is envisaged that these works will significantly improve the resilience of the service in the long term.

The proposals are currently the subject of the appointment of a design team which will develop the detailed design proposals. It is envisaged that a financial package for the works will be agreed prior to the end of 2019, and that would allow works to then start in mid-2020.

In minimising disruption to service users, it is proposed that a temporary works package to the Irish Berth is implemented prior to the main construction contract to allow the service to continue with minimal disruption. Again designs for these works are currently being developed. The Arran berth, existing terminal building and part of the car park would be closed off as a construction site, with relocated car parking and marshalling space and temporary terminal facilities provided. These would allow the service to operate from the Irish Berth.

It is intended that a full timetable is operated from the Irish berth, allowing equality of access to Council and health services.

It is however recognised that the Irish berth may result in cancellations given prevailing wind conditions. Transport Scotland are therefore considering alternative arrangements to maintain the service when this is the case. Officers are working closely with Transport Scotland and its agencies to ensure that disruption is minimised. As these proposals are developed, consultation with appropriate council and health services will be undertaken to consider any additional support which needs to be provided during the period of works to ensure equality of service access.”

As a supplementary question, Councillor Billings referred to the impact of cancelled ferries on a significant number of vulnerable individuals unable to attend mainland services or with carers unable to reach the island. Councillor Billings asked the Leader of the Council to commit to including consideration of these issues in the planning arrangements and to update Members on how Arran residents would be supported.

Councillor Cullinane responded by confirming that minimising disruption had been the main focus of the work of the Ministerial Task Force to date. He indicated that North Ayrshire Council has already put in place provisions for when the ferry service was disrupted and this would continue to be the case during the planned works.

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

“Question to the Cabinet Member for Economy:

At the Council meeting in May 2019 the members were provided with an update on the development plans for Ardrossan Harbour. We were told that construction work would start mid 2020 and that 'The appointment of a dedicated resource to oversee the regeneration at Ardrossan will support and facilitate more and regular consultation and engagement.' Can the member provide the Council and the people of Arran details of when this consultation and engagement will start given that construction is due to begin in around 9 months' time?”

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

“It remains the intention that construction works will start in mid-2020.

A considerable level of officer resource is already being made available to support the development proposals for the harbour. In addition, an Ardrossan Regeneration Manager will start work for the Council in mid-October focusing not only on the harbour, but the north shore site, town centre and on improving connections between these areas. This will provide, a dedicated resource to coordinate and support engagement and consultation associated with all the Ardrossan regeneration proposals.

Public consultation was undertaken in Brodick and Ardrossan in October 2018 on the preferred design option for the redevelopment of the harbour. In addition the Arran Ferry Committee continue to be represented on the Ardrossan Harbour steering group and are aware of the proposals.

In terms of the detailed design, a design team will be appointed in October to allow the detailed design of the landside works including the terminal building, car parking, marshalling space and public realm links. The need to consult with both mainland and island residents during this design team process is recognised, and it is planned that the appointed design team will engage with the public in November or December 2019.

In addition, local members have recently been briefed on the various developments in Ardrossan, and that is something that officers could support on a regular basis if required.”

As a supplementary question, Councillor Billings asked for a commitment that public engagement would be meaningful.

Councillor Gallagher responded by confirming that the Council always tried to consult effectively and invited Councillor Billings to share with him or officers any suggestions he had on addressing any deficiencies in previous consultations.

(11) a question by Councillor Brahim to the Cabinet Member for the Economy in the following terms:

“Can the Portfolio Holder for Economy advise what progress has been made to ensure the realignment of the B714 will be financed as part of the Ayrshire Growth Deal?”

Councillor Brahim requested that his question and the response be taken as read.

Councillor Gallagher’s written response was as follows:

“The Government is progressing its second Strategic Transport Projects Review, which will consider future investment in all transport modes including the strategic road and rail networks as well as active travel, island connectivity, ferries and buses. As part of the Heads of Terms for the Ayrshire Growth Deal, the Government committed to establishing regional working arrangements to reflect Ayrshire Growth Deal priorities, through the STPR process, and regional workshops have been held, as part of the early development of STPR. Officers have participated in the STPR process to date and will continue to ensure future transport investment reflects North Ayrshire’s priorities which include the realignment of the B714. The financing of future transport projects would be in addition to the current AGD programme”.

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

"Just before the school summer holidays, via Local Press, the news broke that North Ayrshire Council's Early Years staff were left in Limbo, and in fear of whether they would have a job to return to following the end of summer break six weeks later.

Can the Portfolio holder give me an update on the situation as it is currently, in particular in relation to:

- How many staff members were affected by moves.
- Were maximum efforts made to ensure any final moves were fair to staff, including travelling distances from home to the workplace.
- How staff received these moves and how staff morale is currently perceived to be.
- Most importantly, were there any job losses resulting in NAC staff becoming unemployed."

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

“Q. How many staff were affected by the moves?

In relation to the delivery of the 1140 hours early years programme, prior to the summer holiday period the Council worked with 9 early years establishments to realign staff working patterns as result of negotiations with the trade unions. 114 members of staff were employed across these 9 establishments and 6 were required to change their place of work - 5% in total.

Q. Were maximum efforts made to ensure any final moves were fair to staff, including travelling distances from home to the workplace.

Every effort was made to ensure that staff preferences were accommodated and any increase in travel distance to a new place of work was considered.

Q. How staff received these moves and how staff morale is currently perceived to be?

Our Education Resources Team and trade union colleagues worked hard to support the small number of staff who moved location and this was acknowledged at our most recent JCC meeting. It is also acknowledged that, for some staff, moving workplace can be difficult. However, it is an established practice across the Education Service where we are required to respond to changing pupil rolls. The Senior Manager for Early Years held an in-service event on 16 August 2019, which all Early Years staff attended. Discussion and engagement was extremely positive and all staff engaged well in the various activities which were designed to promote collaboration and collegiality.

Q. Most importantly, were there any job losses resulting in NAC staff becoming unemployed.

There were no redundancies. Early Years is an expanding service and our plans are to increase job opportunities across this sector as we work towards full implementation of 1140 hrs of funded early learning by August 2020."

Councillor Davidson indicated he had no supplementary question, but wished to thank the Cabinet Member for an informative response.

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

"When will the report on the levels of contamination at the proposed site of Ardrossan Academy be made public, and how will the public be assured that the site can be made safe for both residents and the school."

Councillor Stephen intimated that she wished to withdraw her question.

(14) a question by Councillor Murdoch to the Chair of the Planning Committee in the following terms:

"NAC Planning were consulted on the second (EIA) Screening for the Hunterston Decommissioning Site on the 11th March 2019. A reply was sent to Marine Scotland on the 9th April 2019.

What part of the project did NAC consider in order to draw the conclusion that this was not an (EIA) project?"

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

“The consultation from Marine Scotland was sought because some proposed factors had changed in relation to Marine Scotland’s understanding of the development. Marine Scotland confirmed that the main changes are as follows:

1. An increased volume of dredging
2. Confirmation that the jetty is a replacement and not alterations to existing – Marine Scotland were originally not clear on this point.
3. Additional areas of rock armour to be formed.

In respect of No. 1, dredging is a matter for Marine Scotland and not something for which planning permission is required.

In respect of No. 2 planning permission has been granted for 'replacement and enlargement of existing jetty' 25th April 2018 (ref: 18/00134/PP). Therefore, the Council was always clear that the jetty is a replacement.

In respect of No. 3, most of the additional rock armour to be formed is shown on the approved drawings of the above planning permission. Therefore, this work has planning permission. There are parts of the rock armour next to permitted caisson gates which are not shown on approved planning drawings. Planning will contact Peel Ports for further information on this alteration. Despite further information being required in respect of the rock armour adjacent to the caisson gates, the Council’s response remains the same as previous, that the Council, as Planning Authority, does not consider that EIA is required.”

As a supplementary question, Councillor Murdoch asked whether the Council, in responding to Marine Scotland, had had regard to paragraph 153 of the EIA regulations, which stated that the significance of any effects must be considered in the context of the existing development.

Councillor Marshall responded by advising that he was unable to give an exact answer. However, he indicated that many of the issues around Hunterston had been the subject of consideration at the Local Development Plan Committee meeting held in April 2018. He suggested that, had Councillor Murdoch attended that meeting, he might have supported Councillor Marshall’s motion that no decommissioning work be carried out at Hunterston. Councillor Marshall concluded his response by undertaking to provide a detailed response to Councillor Murdoch if he wished to put his concerns in writing.

(15) a question by Councillor Murdoch to the Chair of the Planning Committee in the following terms:

“When considering the original (EIA) screening and planning applications in 2017/2018 and the second (EIA) screening in 2019, what tide lines did NAC use as part of their determination? Was it means high water springs or means low water springs?”

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

“Planning Permission and consequential EIA screenings would be required for works above the high-water mark and below that mark would be the responsibility of Marine Scotland.”

As a supplementary question, Councillor Murdoch asked how the high-water mark had been measured and if it had been taken from the Ordnance Survey data.

Councillor Marshall responded by suggesting that Councillor Murdoch write to him on this matter and undertook to provide a detailed response.

In terms of Standing Order 5.7, the Provost agreed that the meeting be adjourned at 5.15 p.m. for a short comfort break.

The meeting reconvened at 5.25 p.m. with the same Members and officers present and in attendance, with the exception of Councillors Davidson, McNicol, McTiernan, Murdoch and D.L. Reid.

In terms of Standing Order 9.4, the Provost agreed to alter the order of business in light of Councillor Murdoch’s absence, and to consider question (17) prior to question (16).

(17) a question by Councillor McMaster to the Cabinet Member for the Economy in the following terms:

“In 2020 Scotland celebrates its Coasts and Waters with a year-long programme of events and activities to highlight the impact our waters have had on Scotland; from the formation of outstanding natural features to our industrial heritage. In light of this and with The Coig tourism initiative, and the NAC Tourism Action Plan (2018-2022) in mind, would the Cabinet Member support placing the Waverley’s boiler refit appeal badge on the NAC website in order to raise awareness of the appeal which aims to raise £2.3 million to cover the cost of the refit?

The Waverley is an important part of our Clyde Coast heritage and as the last sea-going paddle steamer in the world plays an integral part in the tourism economy of North Ayrshire’s Clyde Coast and Islands. Through continuing the Clyde Coast tradition of going “Doon the Watter” Waverley brings over 8000 visitors to Arran, with three calls a week to the Island during peak season;(and more scheduled for 2020 due to the new pier at Brodick), regularly carries 1500 to Largs and calls at Cumbrae 2 days a week. Based on 2015 figures this brought £3.5 million to the Scottish tourist economy and the economic impact assessment noted that many Waverley passengers have additional on shore spend which boosts local economies.

Due to the complete failure of her boilers The Waverley had to be removed from service earlier this year and needs help to raise the £2.3million required for a boiler refit. £900 thousand has been raised so far, the refit will be carried out at Dales Marine Services in Greenock and the aim is to have Waverley back in service for the full 2020 summer Clyde season.

Therefore, I ask that the Cabinet Member support efforts to raise awareness of the appeal and help ensure that this unique maritime heritage experience continues to enhance people's enjoyment of our beautiful coastal waters and Islands and is saved for future generations to appreciate and enjoy".

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

"We recognise and welcome the fundraising efforts to bring the Waverley back into service.

The Council's Corporate Communications team will support these efforts by utilising its available channels to spread the word about the campaign.

The Communications team will highlight the campaign on its social media channels, such as Facebook and Twitter.

In addition, the Communications team will also promote the campaign through its internal media channels, including News in Brief and the Staff News website.

This will help support the wider campaign to raise the necessary funds for the Waverley's refurbishment work. We wish the campaign well and look forward to seeing the Waverley return to the Firth of Clyde - hopefully as part of the celebrations for the Year of Coasts and Waters in 2020."

Councillors Davidson, McTiernan, McNicol, Murdoch and D.L. Reid re-joined the meeting during consideration of this item.

Councillor McMaster left the meeting at this point.

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

"Can the Leader of the Council please confirm if anyone at NAC enquired either verbally, or in writing, regarding the availability or procurement of between 70 & 100,000 tonnes of dredged sand from the sea bed at Hunterston and if so, what was the sand to be used for?"

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

"No enquiry has been made as to the availability of sand at Hunterston. The sites landowners Peel Ports have suggested that in cases where material is removed from the sea bed, this can be used in local construction projects if it is deemed suitable by appropriate agencies. No testing of material at Hunterston has taken place.

Initial discussions have suggested that material dredged from Ardrossan Harbour could be used to help raise ground levels at Ardrossan North Shore. Dredging of the Harbour area is required as part of the Harbour works, and any material removed would either be relocated elsewhere on the seabed, or used as construction material if deemed to be suitable. That would first require testing of the material to ensure that it is suitable for use and approval by the Scottish Environmental Protection Agency. This testing has been instructed as part of the design works associated with Ardrossan Harbour."

As a supplementary question, Councillor Murdoch asked the Leader to confirm who owned the rights to use the sand in question if it was deemed suitable for use and whether it was the property of the company undertaking dredging works or the Crown Estate.

Councillor Cullinane undertook to look into this matter and provide a response to Councillor Murdoch.

14. Motions

In terms of Standing Order 13, submitted:

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

"North Ayrshire Council endorses the support that has been offered by St Louis-based obstetrician-gynaecologist, Dr Dionysios Veronikis to travel to Scotland to train fellow obstetricians in the safe removal of transvaginal and other mesh implants from persons affected by the mesh implant situation in Scotland. Through our endorsement, we recognise the pain that some of our constituents feel due to mesh implants and we are committed to ensuring our local constituents and other persons in Scotland receive humane and fair treatment in regard to their painful and debilitating symptoms. We now call upon the UK government to respond as a matter of urgency to allow our constituents and others to receive expeditious treatment. We also agree that mesh should not be re-introduced until a full, thorough review of the devices has been completed to ensure public safety. We call upon all other Scottish local authorities to support us to show solidarity with Scottish people affected by this issue."

As an amendment, Councillor Billings, seconded by Councillor Ferguson, moved to support the terms of the motion, subject to the deletion of “We now call upon the UK Government to respond as a matter of urgency to allow...” and its replacement with “As a matter of urgency, we call upon the Scottish Government, in particular the Scottish Cabinet Secretary for Health, as well as the UK Government, to expedite the entry of Dr Veronikis into Scotland, so that he can train surgeons within Scotland thereby allowing...”

In terms of Standing Order 14.5, the mover and seconder of the motion agreed to withdrawn their motion in favour of the amendment, which became the substantive motion. There being no further amendment, the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

"North Ayrshire Council endorses the support that has been offered by St Louis-based obstetrician-gynaecologist, Dr Dionysios Veronikis to travel to Scotland to train fellow obstetricians in the safe removal of transvaginal and other mesh implants from persons affected by the mesh implant situation in Scotland. Through our endorsement, we recognise the pain that some of our constituents feel due to mesh implants and we are committed to ensuring our local constituents and other persons in Scotland receive humane and fair treatment in regard to their painful and debilitating symptoms. As a matter of urgency, we call upon the Scottish Government, in particular the Scottish Cabinet Secretary for Health, as well as the UK Government, to expedite the entry of Dr Veronikis into Scotland, so that he can train surgeons within Scotland thereby allowing our constituents and others to receive expeditious treatment. We also agree that mesh should not be re-introduced until a full, thorough review of the devices has been completed to ensure public safety. We call upon all other Scottish local authorities to support us to show solidarity with Scottish people affected by this issue."

(2) a motion by Councillor Marshall, seconded by Councillor Ferguson, in the following terms:

“That all proposals for the erection of 50 or more Council Houses be required to be determined by a formal Planning Application to ensure complete public transparency and engagement.”

In terms of Standing Order 14.5, Councillor Marshall intimated, with the consent of his seconder, that he wished to withdraw the motion.

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

“Data published in 2018 showed that Scotland has the highest level of drug related deaths across Europe, here in North Ayrshire the level of drug related deaths are above the Scottish average. Accordingly, North Ayrshire Council agrees: 1. To declare a drugs death emergency and requests the Health and Social Care Partnership to convene a drugs death summit of Community Planning Partners to consider multi-disciplinary local drug policy, funding and service improvements. 2. That the Chief Executive write to the Cabinet Secretary for Health and Sport to strongly urge the Scottish Government to declare drug related deaths as a public health emergency in Scotland and seek a commitment to making real terms funding increases towards Alcohol and Drug Partnerships following a £15.4million reduction in government allocations from 2016/17 which has resulted in real terms funding cuts. 3. That the Chief Executive write to the Home Secretary seeking the devolution of drug powers to Scotland that would allow Drug Consumption Rooms in Scotland and permit the decriminalisation of drug possession which has proved hugely successful in countries such as Portugal.”

As an amendment, Councillor Dickson seconded by Councillor Burns, moved that the Council approve the terms of the motion, subject to an amendment to point “2”, to end it after the word “Partnerships.”

As a further amendment, Councillor Billings, seconded by Councillor Glover, moved as follows:

“That the Chief Executive write to the Scottish Cabinet Secretary for Health and Sport seeking a commitment to undertake a full review of addiction services within Scotland, that will enable all the relevant services to work effectively together to develop and implement innovative and flexible approaches to addiction prevention and treatment.”

In terms of Standing Order 14.5, the mover and seconder of the motion agreed to withdraw their motion in favour of the amendment proposed by Councillor Dickson and seconded by Councillor Burns. This amendment then became the substantive motion.

Following questions, debate and summing up, on a division, there voted for the amendment 6 and for the substantive motion 23, and the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

“Data published in 2018 showed that Scotland has the highest level of drug related deaths across Europe, here in North Ayrshire the level of drug related deaths are above the Scottish average. Accordingly, North Ayrshire Council agrees: 1. To declare a drugs death emergency and requests the Health and Social Care Partnership to convene a drugs death summit of Community Planning Partners to consider multi-disciplinary local drug policy, funding and service improvements. 2. That the Chief Executive write to the Cabinet Secretary for Health and Sport to strongly urge the Scottish Government to declare drug related deaths as a public health emergency in Scotland and seek a commitment to making real terms funding increases towards Alcohol and Drug Partnerships. 3. That the Chief Executive write to the Home Secretary seeking the devolution of drug powers to Scotland that would allow Drug Consumption Rooms in Scotland and permit the decriminalisation of drug possession which has proved hugely successful in countries such as Portugal.”

(4) a motion by Councillor Gurney, seconded by Councillor Davidson, in the following terms:

"It is increasingly likely that 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 most common comment heard at polling stations is to the effect that one would hardly know that there was an election. That position would be exacerbated if, as expected, we have an incredibly short run up to any possible poll. It is quite likely that, between calling an election and the election day itself, we might have as few as 25 days.

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 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/north-ayrshire/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
- The 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 should be a public consultation on whether the policy should continue for future polls."

As an amendment, Councillor Cullinane, seconded by Councillor Barr, moved the direct negative.

The Senior Manager (Legal Services) sought, and received, the agreement of the Council not to require the amendment to be reduced to writing in terms of Standing Order 14.4.

Following questions, debate and summing up, on a division, there voted for the amendment 19 and for the motion 10, and the amendment was declared carried.

Accordingly, the Council agreed not to approve the terms of the motion.

Councillor Donald L. Reid left the meeting during consideration of the following item of business.

- (5) a motion by Councillor Murdoch, seconded by Councillor Hill, in the following terms:

"That Council has No Confidence in the North Ayrshire Council representatives on the (SSG) Site Stakeholders Group, and removes Councillors Barr, Ferguson, Marshall, Glover and Gallagher as its representatives on the Group and seeks nominations today for five replacement representatives."

As an amendment, Councillor McNicol, seconded by Councillor Foster, moved the direct negative.

The Senior Manager (Legal Services) sought, and received, the agreement of the Council not to require the amendment to be reduced to writing in terms of Standing Order 14.4.

On a point of order, Councillor Barr requested, and received, confirmation from the Senior Manager (Legal Services) that there was no requirement, in terms of Standing Orders, for a two thirds majority of Members to agree to consider the motion.

Following questions, debate and summing up, on a division and roll call vote, there voted for the amendment Councillors Barr, Bell, Billings, Clarkson, Cullinane, Easdale, Ferguson, Foster, Gallagher, Glover, Marshall, McNicol, McPhater, Miller, Montgomerie, Donald Reid, Stephen and Sweeney, and for the motion, Councillors Brahim, Burns, Davidson, Dickson, Gurney, Hill, Larsen, Macaulay, McClung, McTiernan and Murdoch, and the amendment was declared carried.

Accordingly, the Council agreed not to approve the terms of the motion.

The Meeting ended at 6.45 p.m.