

North Ayrshire Council  
27 March 2019

**IRVINE, 27 March 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, Scott Gallacher, Alex Gallagher, Margaret George, John Glover, Tony Gurney, Alan Hill, Christina Larsen, Shaun Macaulay, Tom Marshall, Jean McClung, 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); K. Yeomans, Executive Director (Economy and Communities); S. Brown, Director (Health and Social Care Partnership); A. McClelland, Head of Service (Learning, Teaching and Curriculum)(Education and Youth Employment); Y. Baulk, Head of Service (Physical Environment (Place); and A. Fraser, Head of Democratic Services, A. Craig, Senior Manager (Legal Services), M. McColm, Senior Communications Officer (Media and Internal Communications); H. Clancy and D. McCaw, Committee Services Officers and M. Anderson, Interim Committee and Member Services Manager (Chief Executive's Service).

**Chair**

Provost Clarkson in the Chair.

**Apologies**

Ellen McMaster.

**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 extend birthday good wishes to Councillors Cullinane and Brahim.

**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 Ordinary meeting held on 13 February 2019, the Special Meeting held on 27 February 2019, the Special Meeting (Planning) (Pre-Determination Hearing) and Special Meeting (Planning) (Determination Meeting) 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 5 February-18 March 2019.

The Provost highlighted the following elements of his written report:-

- showcase events to celebrate the North Ayrshire Young Musician on the Year, the North Ayrshire Traditional Musician of the Year and the Young Rock and Pop Musician of the Year;
- the launch of Largs Picture House at Largs Campus, the Arran Cycle maintenance Project in Arran High School and the Credit Union Project at Kilwinning Campus, all of which equip students with additional employability skills while providing a service within the local community;
- a special concert and reception held in the Usher Hall and a reception hosted by the Lord Provost of Glasgow City Council, both in celebration of Chinese New Year; and
- the Civic Pride Awards which took place on 15 March 2019 in the Portal, Irvine, which saw over 16,700 votes and raised more than £9,000 for Cash for Kids and Ayrshire Hospice.

Noted.

### **6. Leader's Report**

Submitted report by the Leader for the period from 5 February – 18 March 2019.

The Leader highlighted the following elements of his written report:-

- the next stage in terms of progress on the Ayrshire Growth Deal and a recognition of the hard work of those involved thus far, particularly officers of the Council; and
- the launch of the Kilwinning Academy Credit Union project and its important role with regard to the delivery of 'life skills' education.

Noted.

## **7. Council Minute Volume**

Submitted for noting, the Minutes of meetings of committees of the Council held in the period 13 December 2018-12 March 2019.

Noted.

## **8. Congratulatory Motion**

In terms of Standing Order 13.1, submitted the undernoted motion, duly proposed and seconded, which sought to congratulate, commend or recognise an individual or group in relation to their achievement or activities within North Ayrshire:-

“Irvine and Dreghorn Band attended the Scottish Brass Band Championships at Perth Concert Hall on Saturday 9 March when they performed to a very high standard and were crowned Scottish Champions. They now go forward to represent Scotland at the National Brass Band Championships in Cheltenham in October this year.

The Council congratulates all the band members, committee and supporters on their musical dedication and teamwork which has resulted in this hallmark achievement and wishes them well when they represent Scotland at the National Brass Band Championships of Great Britain in October 2019.”

There being no dissent, the motion was declared carried.

## **9. Outside Body Nomination**

The Council considered a nomination, proposed by Councillor Barr and seconded by Councillor McNicol, for Councillor Donald L Reid to serve as the Council's representative on Scotland Excel.

There being no amendment, Councillor Donald L Reid was duly appointed to serve on Scotland Excel.

## **10. Development of North Ayrshire Council Plan 2019-24**

Submitted report by the Chief Executive on a draft Council Plan 2019-2024 for formal consultation.

Members asked a question, and received clarification, on the aspiration to deliver on fairness for all communities across North Ayrshire.

The Council agreed (a) to approve the draft Council Plan 2019-2024 set out at Appendix 1, for formal consultation with communities, partners and other agencies; and (b) that, following the collation and consideration of feedback through formal consultation, a final Council Plan be considered for agreement by Council prior to the summer recess.

## 11. Questions

In terms of Standing Order No. 12 submit:

- (1) a question by Councillor Marshall to the Leader of the Opposition in the following terms:-

"The SNP at the last election stood on a manifesto commitment of a maximum increase of 3% on the Council Tax. However at Council in February the SNP Group voted for an increase of 4.79% for 2019/20, and opposed the Conservative Amendment of a 3% increase. Why did the Opposition not support a council tax rise which would have delivered their own manifesto commitment, or was this a manifesto commitment which they never intended to keep?"

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

"The SNP stood on a manifesto of a Council Tax cap of 3%. Earlier this year, the cap was raised when the Green Party worked with the SNP minority Government in Holyrood to ensure a budget was passed. An agreement was reached which involved compromise on both sides, but which produced a budget that delivered on a whole range of public services, national and local, for the people of Scotland.

My Group's budget proposal in this Chamber attempted a similar compromise by suggesting a Council Tax increase of 3.7%, only 0.7% above the previous cap. If Mr Marshall's Group had been prepared to compromise, that proposal could have been approved. Instead, they chose to sit on their hands and allow Labour's proposal of 4.79% to defeat our proposal of 3.7%.

My Group's compromise was to support Labour's proposal when the only other option available to us was the Tory proposal which would have cut teacher numbers and destroyed the Council's apprenticeship programme.

Provost, I believe manifesto commitments are extremely important and should be honoured as far as possible. I also believe that people understand when compromises have to be made as circumstances change, and perhaps if Councillor Marshall's own Leader understood that, she wouldn't be in the mess she's in now.

Can I say again that the only pledge our group of Tory candidates made in the Council elections, was a commitment to prevent a second Independence referendum. I'm keen to hear how, as a local councillor, Councillor Marshall plans to deliver on that."

As a supplementary question, Councillor Marshall asked the Leader of the Opposition how she expected those on fixed incomes to fund a large increase in Council tax.

Councillor Burns responded by expressing the view that if the Member were concerned about poverty levels and how people were going to pay their bills, he should speak with his own Party Leader on how years of Austerity had impacted on people, not just in North Ayrshire, but across Scotland and the UK.

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

"Does the Portfolio Holder welcome The Scottish Government/COSLA announcement of £1.4m of funding for North Ayrshire to establish a new Town Centre Fund aimed at ensuring our High Streets are more diverse, sustainable and successful?"

Councillor Gallagher responded by indicating that, given the state of the Council's finances following cuts imposed upon it by Councillor Hill's own Party, he would accept any small amount of funding offered and would ensure that the money was used wisely.

As a supplementary question, Councillor Hill referred to the Cabinet report mentioned in the Cabinet Member's written response. Councillor Hill requested confirmation that there would be consultation with Members and communities on expenditure of the funding and clarification of the steps which would be taken to ensure a fair geographical spread of expenditure.

Councillor Gallagher responded by confirming that the aim of the Cabinet report would be to ensure an equitable split between all of the eleven settlements in question and referred to the terms of his written response:-

"We always welcome additional Government funding for North Ayrshire. Our town centres are very important to all our communities and we recognise the challenges that they are facing as shopping patterns change and increasing numbers of commercial buildings become redundant in our towns. The Scottish Government funding is a one-off amount of £1.4m for 2019/20 only. Officers will consider potential options for the Fund with a report for consideration coming to May Cabinet."

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

"In light of North Ayrshire Council's pledge to support Keep Scotland Beautiful's Roadside Litter campaign following a motion I lodged last summer, can the Portfolio holder for Place provide an update detailing what steps have been taken to conduct an ongoing publicity campaign, what options have been explored to optimise the presence and location of roadside bins and monitoring roadside litter levels and what other efforts have been made in line with this specific campaign?"

Councillor Montgomerie circulated some examples of promotional advertising, responded and responded in the following terms:-

“Thank you for your question regarding roadside litter.

The Council has taken a number of actions to reduce this and continues to work closely with Keep Scotland Beautiful on roadside and general litter issues.

Streetscene has populated known areas of concern/litter hot spots with the promotional advertising provided by Keep Scotland Beautiful. The material is designed to encourage people to 'Give their litter a lift home'. In addition the messaging also informs drivers to take their litter home as there are 'no bins here'. Streetscene have removed litter bins from specific laybys, as suggested by KSB, which were subsequently populated with these signs. This has been monitored and has resulted in reduced volumes of litter in these roadside locations.

In addition to this the Streetscene Environmental Enforcement team has developed its own enforcement signs to help support the KSB initiative.

These signs are bright yellow and warn potential offenders that surveillance is in place and that litter attracts an £80 Fixed Penalty Notice. This is being implemented in two specific locations in Irvine where roadside litter was a serious problem. The signs are in place on the A71 and at the exit from the Riverside Retail Park. Early indications are that this is having a positive impact with reduced litter and an improved visual impact on the area.

This is now being considered for expansion into surrounding locations and other known litter hot spots.

As well as signs, CCTV cameras have been implemented on the A71, at Irvine Beach park and at Byrehill Road, Kilwinning to help address all levels of environmental crime including road side litter and fly tipping. This combined with the recent "DASH CAM" campaign which encourages members of the public to report offences captured on dash cams are also having an impact on people's behaviour.

I can furthermore confirm that laybys and roadsides are continually monitored for the impacts of litter and clearances are scheduled for badly affected areas in line with planned roadside closures to minimise disruption and reduce costs.”

As a supplementary question, Councillor Brahim asked if, following the meeting, the Cabinet Member could provide more details in writing of what action had been taken in other Wards and on what she and other Elected Members could do to support the campaign.

Councillor Montgomerie responded in the affirmative.

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

“I would like to ask the Portfolio Holder for Communities if she agrees that we must ensure all EU citizens in North Ayrshire have access to Android devices through Council buildings and home visits, to ensure they are have the opportunity to apply for the Settled Status Scheme and if so, what measures the Council will put in place to accommodate this.”

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

“Staff in North Ayrshire Library Service are working with We Are Digital to ensure that there is access to the necessary resources relating to EU National and the Settled Status Scheme. We Are Digital will be the conduit for appointments with anyone in the North Ayrshire area requiring assistance being directed to us. Three libraries have been identified to participate in the scheme and staff there are currently having additional security checks carried out in order to operate the system and help in the delivery of this work.”

As a supplementary question, Councillor Brahim asked if the Cabinet Member could provide further information following the meeting on the three libraries mentioned and whether home visits were also a possibility.

Councillor McPhater responded in the affirmative.

(5) a question by Councillor Murdoch to the Cabinet Member for the Economy in the following terms:-

“Before planning permission was granted for the Decommissioning Site at the Marine Construction Yard at Hunterston in 2018, were all meetings held between North Ayrshire Council, Scottish Natural Heritage, Scottish Environmental Protection Agency and Marine Scotland minuted and if not why not?”

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

“There is no record of any minutes of such meetings as they would have been informal in nature. These meetings would have been held prior to the formal consultation being inserted on the Council’s Planning Portal.”

As a supplementary question, Councillor Murdoch asked whether the Cabinet Member agreed that future meetings between officers and outside organisations should be minuted.

Councillor Gallagher responded by expressing the contrary view.

(6) a question by Councillor Murdoch to the Cabinet Member for the Economy in the following terms:-

“If the proposal is successful, how many jobs will be created at the Decommissioning Site at the Marine Construction Yard at Hunterston?”

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

“The report to the Council’s Planning Committee on 25 April 2018 (Agenda Item 3.2), advises that the applicant’s ‘Socio Economic Report’ submitted in support of the application summarises that the long term investments at the site would secure initial funding of approximately £60-80 million from partners and funding resulting in a spend of £76m at the site to accommodate the decommissioning. It would create 500-550 gross Person Year Equivalent jobs in construction and related sectors and the ongoing operations at the site would result in £50m annual operating contract values, generating some 220-260 permanent full time equivalent jobs.”

As a supplementary question, Councillor Murdoch made reference to varying figures quoted by Kenneth Gibson MSP with regard to the number of jobs likely to be created by the decommissioning work, contrasting the MSP’s estimates of ‘100s of jobs’ and up to 1,000 jobs with the 40-80 jobs associated with similar facilities elsewhere, and asked the Cabinet Member for clarification as to the correct figure.

Councillor Gallagher advised that he had no reason to doubt the robust nature of the figure quoted within the Planning Committee report, based as it was on a Socio Economic report which had been prepared using expert advice and subsequently reviewed and published.

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

“In documentation obtained through Freedom of Information relating to the Hunterston Marine Construction Yard, there is a letter from the Enviro Centre dated 10th January 2018 sent to North Ayrshire’s Planning Department. Is the Chair of Planning aware of the existence of this letter and if so when did he become aware of it?”

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

“The documents were published on the Council’s ePlanning Portal, which are available to Members in advance of the determination. The letter relates to clarification on environmental studies. The report to the Council’s Planning Committee on 25 April 2018 (Agenda Item 3.2), refers to the applicant’s ‘Environmental Statement’.

I was made aware of the terms of the letter after it was received and that it informed the Planning Officer’s report.”

As a supplementary question, Councillor Murdoch made reference to a Freedom of Information request which had revealed both Marine Scotland and Scottish Natural Heritage had encouraged the Council to conduct a full Environmental Impact Assessment, and asked whether the Planning Committee was made aware of this prior to granting planning permission.

Councillor Marshall responded by referring to the Minute of the Planning Committee of 25 April 2018, which stated that an EIA was not required by Marine Scotland, nor by Scottish Natural Heritage, and by expressing his confidence in the Planning Officers' interpretation of their submissions.

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

"Was there a reply sent to the letter dated the 10th January 2018 from the Enviro Centre to North Ayrshire's Planning Department in respect of the Hunterston Marine Construction Yard and why is there no reference in the formal planning report provided to the Planning Committee?"

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

"The letter relates to clarification on environmental studies. The contents of the letter would have formed part of the applicant's supporting information to the application, all of which would have been considered in the Officer's assessment, and the consultees' response to the application and the supporting information was in the report to the Council's Planning Committee on 25 April 2018."

As a supplementary question, Councillor Murdoch referred to statements made in the Scottish Parliament that there had been substantial changes to the project since Marine Scotland's original assessment that an Environmental Impact Assessment was not necessary, and asked the Chair of Planning about the nature of those substantial changes.

Councillor Marshall responded by advising that there had been no change as far as he was aware and asserting that the Member was referring only to an opinion expressed by one MSP to another. Councillor Marshall cited a letter from the Scottish Government dated 19 February 2019, which stated quite clearly there was no need for an EIA.

(9) a question by Councillor Murdoch to the Cabinet Member for the Economy in the following terms:-

"EDF have recently held two Public Information Sessions at Hunterston B Power Station. Are there any plans to invite EDF to a meeting with North Ayrshire Council to discuss the graphite inspections, modelling and analysis work that has been taking place on the reactors at Hunterston since they have been offline?"

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

“Councillors and officers last met with the Office for Nuclear Regulation (ONR) and EDF, on the 25 June 2018 to receive an update from both parties in relation to the key way root cracks found in reactors 3 and 4 at Hunterston B. Furthermore, the ONR, EDF and other stakeholders including Elected Members and Council Officers meet on a quarterly basis at the Hunterston Site Stakeholders Group to receive updates on current activity and progress at both Hunterston A and B.

Whilst this regular engagement with all parties at the Site Stakeholder Group and the increasing amount of information now in the public domain from both EDF and the ONR relating to the issues of graphite ageing has enabled greater awareness of the current situation the Chief Executive plans to invite ONR and EDF to meet with him as part of a regular programme.”

(10) a question by Councillor McClung to the Cabinet Member for Communities in the following terms:-

“The Year 2020 marks the 700th Anniversary of the signing, on 6th April, 1320, of The Declaration of Arbroath.

The importance of this document is acknowledged throughout the world since it is not, as many believe, simply a declaration of Scotland’s right to self-determination, but is also hugely important in that it recognises that the people of Scotland have their own identity. It also asserts that the people of this country are sovereign, and as such have the right to be ruled only by those to whom we give that gift.

The National Records of Scotland describe this document as “foremost among Scotland’s state papers”.

A US Resolution of 10th November, 1997 states formally that the American Declaration of Independence was directly modelled on the Declaration of Arbroath.

Also, in 2016 the document’s huge significance was acknowledged, and its international importance recognised, when the Declaration of Arbroath was placed on UNESCO’s “Memory of the World” Register.

The text of the Declaration of Arbroath is generally ascribed to Bernard, Abbot of Kilwinning, who went on to be Chancellor of Scotland and Abbot of Arbroath. One of the Declaration’s signatories was Fergus of Ardrossan. Add to that the fact that a signatory of the aforementioned American Declaration of Independence, Reverend John Witherspoon, was a Church Minister in Beith from 1745-1758, and it would seem obvious that this upcoming centenary is an unparalleled opportunity for North Ayrshire to capitalise on the area’s historic significance, not the least as a way of reviving our Tourist Industry - an area of development which I have previously mentioned in the Chamber as one which I have been doing all in my power to advance.

As I was asked by members of the Ardrossan Castle Heritage Society to pursue this matter, can I ask the portfolio holder for Communities what plans are being made by North Ayrshire Council to commemorate this important centenary?”

Councillor McPhater thanked the Member for her question and responded by indicating that none were planned.

As a supplementary question, Councillor McClung expressed disappointment in the brevity of the Cabinet Member's response and asked whether Councillor McPhater did not consider this a prime opportunity to use our heritage to bring tourists back to the area.

Councillor McPhater responded by referring to the severe pressures faced by communities, including the incidence of drug deaths, food bank use, poverty and in-work poverty, and the need to make difficult decisions on the use of reduced staff resources. The Cabinet Member advised that Ardrossan Heritage Society could itself apply for funding to commemorate this event which took place over 700 years ago. Whilst, Councillor McPhater did always remember past events, the priority at this time must be to direct resources to addressing the difficulties being experienced by communities.

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

"Over the last ten years, how many employees have left NAC with a non-disclosure agreement?"

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

"No employees have left the Council with a non-disclosure agreement.

Confidentiality clauses are a normal part of Settlement Agreements (previously known as Compromise Agreements) and prohibit both the employer and employee from disclosing the terms of the Agreement. These protect the reputation of the employee and the employer. However, they cannot stop either the employee or employer from reporting a criminal offence to the Police. In order to protect employees, employment law provides that an employee must receive independent employment advice from an accredited specialist before entering into a settlement agreement. For example, this was the case in all our equal pay settlements. Any employee entering into a settlement agreement with the Council receives independent specialist employment advice, to ensure they fully understand the terms of the Agreement.

In accordance with our data retention schedule, we only hold the data for the previous 6 years. The total number of Settlement Agreements, excluding Equal Pay claims, entered into since 21 March 2013 is 22."

As a supplementary question, Councillor Gallacher asked for information on the total financial payment associated with the 22 cases.

Councillor Cullinane advised that the sum was in the region of £400,000.

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

“Can the Portfolio holder explain why there are now no North Ayrshire schools in the top 50 state schools in Scotland 2019 as listed, in the Herald of 20th March 2019, by the percentage of pupils achieving 5+ Highers?”

Councillor Marshall intimated that he wished to withdraw the above question.

## **12. Motions**

In terms of Standing Order 13, submitted:-

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

To propose that North Ayrshire Council request that the Chief Executive at the earliest opportunity:

(a) convenes a meeting between the Office of the Nuclear Regulator (ONR) and the Elected Members of the Hunterston Site Stakeholder Group (SSG) and relevant Officers to enable North Ayrshire Council to understand the incidence of cracking in the graphite core of Reactor 3 and Reactor 4 and be informed as to the methodology of ONR's treatment of the Safety Case made by EDF to restart the Reactors.

(b) given the future closure of Hunterston B Nuclear Station, reconvenes a (restructured) Hunterston Economic Steering Group which last met on Friday 2 May 2014.”

As an amendment, Councillor Murdoch, seconded by Councillor Barr, moved as follows:-

“That North Ayrshire Council request that the Chief Executive at the earliest opportunity convenes a meeting between the Office of the Nuclear Regulator (ONR) and all the Elected Members of North Ayrshire Council and relevant Officers to enable North Ayrshire Council to understand the incidence of cracking in the graphite core of Reactor 3 and Reactor 4 and be informed as to the methodology of ONR's treatment of the Safety Case made by EDF to restart the Reactors.”

A further proposed amendment by Councillor Gallagher was withdrawn following clarification of the terms of Councillor Murdoch's amendment.

Members were then invited to ask questions and, on a Point of Order, it was confirmed that, in terms of Standing Order 14.7, such questions must be for the purposes of clarification only.

Following questions, debate and summing up, there voted for the amendment 25 and for the motion 7, and the amendment was declared carried.

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

“The Isle of Arran is one of North Ayrshire’s most buoyant and developing communities, and attracts nearly 800,000 visitors every year. North Ayrshire Council is aware of Arran’s importance and is working with local communities to further develop the island through new housing and business support. The residents of Arran were, therefore, delighted when it was announced that public money would be spent to upgrade and improve all aspects of the ferry link to Arran.

Back in April 2017, the then Secretary for Economy, Jobs and Fair Work, Keith Brown said

“The Scottish Government is committed to supporting our lifeline ferry links and ensuring that the Arran ferry service is fit for purpose, whilst also getting the best value for the public purse”

Here we are, 3 years later, with a complete shambles of a project that is over spent, running years late, poorly designed and has reliability issues not seen with the previous service. Over £100 million has been committed to this project which is being wasted, and the delays have an adverse effect on the economy of the communities that rely on the ferries.

As representatives of our local communities it is our duty to hold to account those who make decisions on our behalf, in this case the SNP Scottish Government. On behalf of the people we were elected to represent, we demand to know why this project is so far off track and is not delivering the benefits it promised.

I therefore move that Council instructs the Chief Executive to write to the Minister for Transport and the Islands (a) to express in the strongest terms the Council’s disappointment and concern about the current mess and uncertainty that surrounds the upgrade to the Arran and Ardrossan ferry link, (b) for an explanation as to how this situation has been allowed to occur, (c) for an explanation as to how the SNP Scottish Government intends to make good the Minister’s commitment that this project will provide an Arran ferry service that is fit for purpose and is offering best value for money.”

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

### **13. Motion to Amend Standing Orders**

Submitted a motion, by Councillor Gurney, seconded by Councillor Brahim, to amend Standing Orders in terms of Standing Order 22-

“Insert a new Standing Order 12.9 as follows:-

"In relation to both a Question submitted in advance of a meeting and a question relating to an item on the agenda, the person answering must ensure there is a reasonable factual basis for any statement of fact made in their response."

As an amendment, Councillor Billings proposed the deletion of the words “of fact”.

The Head of Democratic Services confirmed that the terms of the motion would comply with Article 10 of the European Convention on Human Rights with regard to safeguarding freedom of expression, while those of the proposed amendment would not.

In light of the advice provided, Councillor Billings withdrew his proposed amendment.

Members then asked questions, and received clarification, on the application of the terms of the motion.

There being no amendment, the motion was declared carried.

#### **14. Urgent Item**

The Provost agreed, due to the timing of the event, to allow a verbal report to be given.

##### **14.1 World Wide Fund for Nature: Earth Hour Pledge**

The Cabinet Member for Place provided a verbal report on Earth Hour which takes place this year on Saturday 30 March 2019 between 8.30 p.m. and 9.30 p.m. The annual event encourages individuals, communities and businesses to turn off non-essential electric lights for one hour as a symbol of commitment to the planet.

Councillor Montgomerie requested Members’ support for the event within their communities. He further advised that, given most Council offices were closed during the weekend, the occasion would be marked by asking Council staff to switch off non-essential lights and computer monitors for one hour over the lunch period on Friday 29 March 2019.

Noted.

The meeting ended at 3.25 p.m.