



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council

A Meeting of the **North Ayrshire Council** of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 13 February 2019** at **13:00** to consider the undernoted business.

- 1 Apologies**
- 2 Declarations of Interest**
Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.
- 3 Previous Minutes**
The accuracy of the Minutes of the meeting held on 19 December 2018 will be confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).
- 4 Provost's Report**
Submit report by the Leader for the period from 10 December 2018 - 4 February 2019 (copy enclosed).
- 5 Leader's Report**
Submit report by the Leader for the period from 10 December 2018 - 4 February 2019 (copy enclosed).
- 6 North Ayrshire Council Minute Volume (issued under separate cover)**
Submit, for noting, the Minutes of meetings of committees of the Council held in the period 11 December 2018- 30 January 2019.

7 Congratulatory Motion

In terms of Standing Order 13.3, submit the undernoted motion, duly proposed and seconded, which seeks to congratulate, commend or recognise an individual or group in relation to their achievement or activities within North Ayrshire:-

(1) a motion in respect of concert band successes:-

"Council congratulates the North Ayrshire Music Service on the success of the 3 entrant bands at the National Concert Band Festival Regional Final held at Garnock Community Campus on Sunday 20 January.

- The Garnock Campus Concert Band achieved a Gold Award.
- The North Ayrshire Junior Concert Band achieved a Platinum Award.
- The North Ayrshire Schools Senior Concert Band achieved a Platinum Award.

This is a fantastic level of success for the pupils in the bands, the leaders of the bands, the Music Service and the families who support them. Attaining Gold and Platinum awards means that all 3 bands are now invited to attend the UK finals in Manchester in April. Council wishes them good luck on that occasion."

8 Meeting of the Council held on 19 December 2018: Motion (1)

Invite the Council to note that (a) following the decision of the last meeting of the Council held on 19 December 2018, the Chief Executive wrote to the Leader of the Conservative and Unionist Group to request that the latter to make a statement to the next Council meeting in relation to the original source of an April 2016 donation of £100,000 received by the North Ayrshire and Arran Conservative and Unionist Association from the Irvine Unionist; and (b) the Leader of the Conservative and Unionist Group has advised that, having previously verbally responded to this matter at the last Council meeting, he has nothing further to add.

9 Audit Scotland Report: Local Government in Scotland: Financial overview 2017/18

Submit report by the Executive Director (Finance and Corporate Support) to inform Council of the findings of the recent Audit Scotland report (copy enclosed).

10 North Ayrshire Charitable Trusts

Submit report by the Executive Director (Economy and Communities) to (a) seek the Council's approval for expenditure from Kilwinning Town Charitable Trust by Kilwinning Locality Partnership; (b) update the Council on the current balances of the dormant and low value charitable trusts; and (c) seek the Council's permission to allow Locality Partnerships to continue to spend balances from the dormant and low value charitable trusts which may result in the winding up of trusts, subject to OSCR approval (copy enclosed).

Questions

In terms of Standing Order No. 12 submit:-

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

"Can the portfolioholder for Economic Development please update the Elected Members on the work being undertaken at Lochshore, and in particular the contribution and agreement with Scottish Enterprise?"

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

"What is the current policy for student mobile phone usage within primary and secondary schools in North Ayrshire?"

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

"Can the Portfolio Holder for Place provide an update on progress of the realignment of the B714 between Dalry and Saltcoats?"

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

"The Fraser of Allander Institute recently produced the latest socio - economic briefing for North Ayrshire Council. I understand that, as well as providing an overview on a range of economic and social statistics for our area, the Fraser of Allander scrutinised the analysis used by the Government to determine the main operational locations for the new Social Security Agency. Can the Cabinet Member for Economy tell the Council what the Fraser of Allander's report states in relation to that decision?"

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

"Could I ask the Cabinet Member for Place if there are any plans for the building and land at Hazeldene in Kilwinning now that the Cabinet decision has been taken to close the Hazeldene Public Social Partnership with services to be provided at Trindlemoss in Irvine?"

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

"In relation to the closure of the swimming pool and leisure facilities at Harvies proposed by the administration, the Council Leader appears to have provided reassurances to Cllr Sweeney on social media that a public engagement exercise will be held amongst Three Towns residents in regard to the closure.

Can he confirm that is the case and, if so, that this will be extended to residents of Kilwinning and other surrounding towns to ensure that the engagement is as wide as possible, and allows as many users of Harvies facilities to have their views recorded as possible?"

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

"Will the Leader of the Council provide members with:-

- 1) Details of all deposits made by North Ayrshire Council to Icelandic Banks/Financial Institutions between 2004/2008, to include name of Bank/Financial Institution, amount/term of investment, rate of interest and interest received from each investment?
- 2) The Institution that advised the Council on its Icelandic Investment Strategy?
- 3) The full and final repayment received by North Ayrshire Council in 2014 from the investments of 5 million pounds in Landsbanki and 10 million pounds in Glitnir banks?
- 4) Details of all fees/charges paid to banks, consultants, and individuals in relation to the Icelandic Bank transactions?"

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

"Does the Leader of the Council still cling to the belief that the purchase of a Shopping Mall by the Council, with an asking price of £55 million, was a wise and commercially prudent move, in the light of a shopping centre in Fife put up for auction with a reserve price of only £1, being sold for £310,000?"

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

"A question to the portfolio holder for Health and Social Care.

Please list for each of the last five financial years the average number, within North Ayrshire, of

- a. Care home placements - both the total available and the number funded by the Council
- b. Nursing home placements - both the total available and the number funded by the Council
- c. Care at home packages funded by the council and the waiting list at the end of each year."

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

"Question to the portfolio holder for Education.

What is the Council's policy in relation to pupils who

a. are caught in school in possession of drugs with intent to supply

or

b are charged/convicted of being in possession of drugs with intent to supply out with the school premises?"

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

"While I welcome the proposal for a new Ardrossan Academy , can the Cabinet Member for Education give an assurance that issues raised by my constituents will genuinely be taken into account during what I have been assured is simply an initial period of public engagement?"

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

"A multi million pound contract to build a new ASN school has been awarded by the Labour administration to Morrison Construction, a company named in the Scottish Affairs Select Committee Report as having used the Consulting Association blacklist to identify, deny employment to or terminate the jobs of trade union members.
The contract was awarded by Hub West Scotland.

However, as it is a North Ayrshire Council led project, can the Portfolio Holder advise me what representations, if any, they have made to hub West Scotland about Morrison Construction winning the contract and how does the award of the contract conform with this Council's previous commitment that companies exposed as having blacklisted workers should be excluded from Council contracts?"

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

"Recipients of Universal Credit can have a single deduction taken from their benefit to be allocated equally between the recovery of an overpaid Tax Credit, Universal Credit or Housing Benefit. There is a legal maximum set for this but over and above this maximum, NAC is contacting customers to ask them to repay more. Can the Leader confirm how many people are currently repaying on this basis and provide a breakdown of the income it has brought into the council since the introduction of Universal Credit?"

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

"Local SNP MSP, Kenneth Gibson claims North Ayrshire Council have received a 9.5% funding uplift for 2019/20. Does the Leader of the opposition agree with me that there is a deep dishonesty in the way that the MSP has presented those figures to his constituents with the result being the public being misled on the financial reality faced by this Council?"

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

"What dialogue have NAC had regarding the Liaison Committee for the Oil Rig Decommissioning Site at Hunterston since the last Full Council meeting in December?"

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

"Why are Largs and Skelmorlie Community Councils not included in the Liaison Committee for the Oil Rig Decommissioning Site at Hunterston?"

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

"Will the promotion and operation of tourism be affected by the Oil Rig Decommissioning Site at Hunterston and the operation of industry within Hunterston Park?"

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

"What has been done to implement the decriminalisation of parking and what measures have been taken to create new parking in Largs since the Full Council Meeting held on 9 May 2018?"

(19) a question by Councillor Murdoch to Councillor Marshall (as a Council representative on an outside body) in the following terms:-

"Why did Councillor Marshall raise the following motion to the Hunterston Site Stakeholder Group at the meeting held on Thursday 6 December?"

That Hunterston Site Stakeholder Group issues a press statement saying "Hunterston Site Stakeholder Group has every confidence in EDF and ONR and their staff in the safe and continuing operation of Hunterston B Station."

12 Motions

In terms of Standing Order 13, submit:-

(1) a motion by Councillor Dickson, seconded by Councillor Montgomerie, in the following terms:-

"Safe Leave for Staff

New Zealand's world leading Victims' Protection Bill requires employers to give victims of domestic violence up to 10 days leave from work, separate from annual leave and sick leave entitlements. A similar policy in North Ayrshire Council, would assist victims to leave their partners, find new homes and help protect themselves and any dependent children. Council is asked to request officers to consider the introduction of up to 10 days 'safe leave' and bring forward a paper outlining the proposals to Cabinet."

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

"That North Ayrshire Council

a. supports the comments made by Glasgow Labour Leader Frank McAveety and Glasgow Airport Managing Director Mark Johnston in their campaign to ensure that Glasgow Airport has a direct rail-link to the city centre, Glasgow being the only airport of its size in Europe dependent on road access.

b. acknowledges that the airport contributes £1.44bn to economy and supports 30,000 jobs ,both of which contribute to the economy of North Ayrshire, and more so if the Airport capacity is increased.

c. agrees to write to Michael Matheson, Transport Secretary and to Susan Aitken ,Glasgow City Council Leader expressing support for the provision of a rail link as envisaged in the 2014 Glasgow City Deal."

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

“Austerity in Scotland continues to fall disproportionately on Scottish Local Government, with the cuts experienced by Scotland's Councils in recent years being several times greater than the cut to the Scottish block grant from Westminster.

MSP's in the Scottish Parliament have failed to use the powers of that Parliament to offer an alternative to austerity, continuing to cut taxes for business whilst making timid variances to Income Tax bands designed not to offer protection for vital public services but rather designed to fit on a leaflet.

Serious reform of local taxation, that is more progressive and enables local services to be protected, has failed to materialise due to a lack of political vision. The latest budget deal between the SNP and Scottish Greens kicks any prospect of real reform on local taxation into the long grass.

What has been presented as "fiscal empowerment" for Local Government is a Tourist Tax and a Workplace Parking Levy.

North Ayrshire Council has called for the power to introduce a Tourist Tax to be given to Scottish Councils and therefore welcomes any move towards this. However, we acknowledge that whilst a Tourist Tax will raise millions of pounds per year for City Councils it will raise considerably less for the rest and this is therefore not an adequate solution in itself. North Ayrshire Council believes this must be taken into consideration prior to the introduction of the power.

However, North Ayrshire Council believes the idea that "fiscal empowerment" of Local Government should be achieved through means such as a Workplace Parking Levy is a damning indictment of the failure of the Scottish Government to adequately fund Local Government and to devolve real fiscal powers to Councils to end austerity. Having made the political decision not to prioritise and protect Local Government funding, having failed to use its fiscal powers to raise the revenue to protect local services the SNP Government and Scottish Greens are now asking Councils to decide whether to cut vital jobs and services or introduce a car parking tax on workers. A tax that could apply to local government workers from every service we provide including janitors, support staff and teachers in our schools - this could lead to proposing a pay offer in one hand and handing out a bill for several hundred pounds to park at work with the other.

North Ayrshire Council opposes the idea of a Workplace Parking Levy and therefore signals our intention not to introduce one if the power is created. Furthermore, the Council resolves to write to the Scottish Government outlining our position on the Levy.

The Council also wishes to raise, whilst stating our support for the power to be devolved to councils, the disparity between what a Tourist Tax will raise in City areas in comparison to other local authority areas and therefore to emphasise the need for "fiscal empowerment" of Local Government to offer equitable benefits for all local authority areas.

North Ayrshire Council wishes to state, in no uncertain terms, the urgent need to end austerity, to protect local services and jobs and outline to the Scottish Government our opposition to the proposed cuts to be imposed on North Ayrshire Council through the Scottish Budget."

(4) a motion by Councillor Miller, seconded by Councillor Foster, in the following terms:-

"North Ayrshire Council opposes any changes to the free television licence for over 75's and resolves that the Chief Executive write to the Secretary of State for Digital, Culture, Media and Sport and the Director-General of the BBC to outline our opposition."

13 Notice

Submit a notice of motion 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.""

14 Urgent Items

Any other items which the Provost considers to be urgent.

Webcasting

Please note: this meeting may be filmed for live and subsequent broadcast via the Council's internet site. At the start of the meeting, the Provost will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act 1998. Data collected during the webcast will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Generally, the press and public seating areas will not be filmed. However, by entering the Council Chambers and using the press or public seating area, you are consenting to being filmed and consenting to the use and storage of those images and sound recordings and any information pertaining to you contained in them for webcasting or training purposes and for the purpose of keeping historical records and making those records available to the public.

If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact committeeservices@north-ayrshire.gov.uk.

North Ayrshire Council Sederunt

Ian Clarkson (Provost)
Robert Barr (Depute Provost)
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
Jean McClung
Ellen McMaster
Ronnie McNicol
Louise McPhater
Davina McTiernan
Tom Marshall
Jimmy Miller
Jim Montgomerie
Ian Murdoch
Donald Reid
Donald L Reid
Angela Stephen
John Sweeney

Chair:

Apologies:

Attending:

IRVINE, 19 December 2018 - 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, Tony Gurney, Alan Hill, Christina Larsen, Shaun Macaulay, Tom Marshall, Jean McClung, Louise McPhater, Davina McTiernan, Jimmy Miller, Jim Montgomerie, Ian Murdoch, Donald Reid, Donald L. Reid and John Sweeney.

In Attendance

C. Hatton, Chief Executive; L. Friel, Executive Director and M. Boyd, Head of Service (Finance) (Finance and Corporate Support); K. Yeomans, Executive Director (Economy and Communities); S. Brown, Director (Health and Social Care Partnership); C. Amos, Head of Service (Inclusion) (Education and Youth Employment); Y. Baulk, Head 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 A. Little, Committee Services Officers and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Chair

Provost Clarkson in the Chair.

Apologies

John Glover, Ellen McMaster, Ronnie McNicol and Angela Stephen.

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.

2. Apologies

The Provost invited intimation of apologies for absence, which were recorded.

On behalf of the Council, the Provost took the opportunity to wish Councillor Glover a speedy recovery and extended his best wishes to the other Members whose apologies had been submitted.

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 of the Council held on 7 November 2018, 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 30 October - 10 December 2018.

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

- the North Ayrshire Achieves awards ceremony which recognises the work of Council staff;
- attendance at a number of events to commemorate the end of the First World War;
- a recent town twinning visit to Voisins, France, including an opportunity to pay respects at a First World War battle site;
- attendance at Christmas Light 'switch on' events in Stevenston and Irvine; and
- the ongoing programme of visits to schools which is set to expand in 2019.

The Provost concluded his remarks by wishing those present a very happy Christmas and a peaceful New Year, and by extending an invitation to join him for festive refreshments following the meeting.

Noted.

6. Leader's Report

Submitted report by the Leader for the period from 30 October – 10 December 2018.

The Leader prefaced his remarks by offering his best wishes to Councillor Glover for his continued recovery and by welcoming back Councillor Macaulay following his recent period of ill health.

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

- the official opening of Castlepark Primary School's new eco-friendly playground; and
- Living Wage Week, including the Council's early implementation of the new Living Wage rate.

The Leader also referred to the recent budget settlement announcement from the Scottish Government, expressing dismay at a cut of 2.3% or £6.2m to the Council's core revenue funding, the lack of provision for the local government pay settlement, and the failure to give any assurances in relation to the shortfall in teachers' pensions. Councillor Cullinane intimated that the settlement would result in a £2.5m gap in the remainder of the Council's current 10-year capital programme and leave a £22.5m hole in the revenue budget for next year.

Notwithstanding the terms of the budget settlement, the Leader concluded his remarks by wishing those present a happy festive period.

The Provost thanked the Leader for his report and offered his congratulations to Councillor Cullinane on being recognised as 'Leader of the Year' at the inaugural Scottish Councillor awards.

Noted.

7. Council Minute Volume

Submitted for noting, the Minutes of meetings of committees of the Council held in the period 15 June - 10 September 2018.

Noted.

8. North Ayrshire Community Planning Partnership (CPP) Board: Minutes of meetings held on 29 November 2018

Submitted report by the Chief Executive on the Minutes of the meeting of the North Ayrshire Community Planning Partnership Board held on 29 November 2018. The CPP Board Minutes were set out in Appendix 1 to the report.

The Head of Democratic Services highlighted the following elements of the report:-

- the work of the Welfare Reform Working Group, the roll out of Universal Credit and the emerging devolved Scottish Social Security Agency and system;
- Community Investment Fund applications and awards, as well as the success of a recent Participatory Budgeting event held in the North Coast and Cumbraes locality; and
- the submission of a CPP response to the Local Governance Review consultation.

Noted.

9. Appointments to Committees

The Head of Democratic Services referred to vacancies for three representatives and three named substitutes to serve on each of the Ayrshire Regional Economic Joint Committee and the Ayrshire Regional Economic Partnership Sub-Committee, and to a vacancy for a named substitute to serve on the Integration Joint Board.

Nominations, duly proposed and seconded, were received in respect of (i) the Leader of the Council (substitute: Depute Leader of the Council), Cabinet Member for the Economy (substitute: Councillor Sweeney), Leader of the Opposition (substitute: Depute Leader of the Opposition) and Councillor Marshall (substitute: Councillor Billings) to serve on the Ayrshire Regional Economic Joint Committee; (ii) the Leader of the Council (substitute: Depute Leader of the Council), Cabinet Member for the Economy (substitute: Councillor Sweeney), Leader of the Opposition (substitute: Depute Leader of the Opposition) and Councillor Billings (substitute: Councillor Marshall) to serve on the Ayrshire Regional Economic Partnership Sub-Committee; and (iii) Councillor Clarkson to serve as Councillor Sweeney's named substitute on the Integration Joint Board.

(i) Ayrshire Regional Economic Joint Committee

On a division, with Councillor Murdoch abstaining, there voted for the appointment of the Leader of the Council (substitute: Depute Leader of the Council) 22, the Cabinet Member for the Economy (substitute: Councillor Sweeney) 24, the Leader of the Opposition (substitute: Depute Leader of the Opposition) 22, and Councillor Marshall (substitute: Councillor Billings) 6.

Accordingly, the Council agreed to appoint the Leader of the Council, the Cabinet Member for the Economy and the Leader of the Opposition to serve on the Ayrshire Regional Economic Joint Committee and the Depute Leader of the Council, Councillor Sweeney and the Depute Leader of the Opposition, respectively, as their named substitutes.

(ii) Ayrshire Regional Economic Partnership Sub-Committee

Councillors Billings and Marshall withdrew their nominations as representative and named substitute, respectively. There being no further amendments, the remaining Members were duly appointed.

Accordingly, the Council agreed to appoint the Leader of the Council, the Cabinet Member for the Economy and the Leader of the Opposition to serve on the Ayrshire Regional Economic Joint Committee and the Depute Leader of the Council, Councillor Sweeney and the Depute Leader of the Opposition, respectively, as their named substitutes.

(iii) Integration Joint Board

There being no further nominations received, the Council agreed to appoint Councillor Clarkson as Councillor Sweeney's named substitute on the Integration Joint Board.

10. Housing Revenue Account (HRA) Capital Investment Programme, Revenue Budget and Rent Levels for 2019/20

Submitted report by the Executive Director (Finance and Corporate support) on the HRA capital investment programme and revenue budget for 2019/20 and the consequential rent levels.

Councillor Cullinane, seconded by Councillor Bell, moved that the Council approve the recommendations set out in the report. There being no amendment, the motion was declared carried.

Accordingly, the Council agreed to (a) approve the HRA capital investment programme for 2019/20, as detailed in Appendix 1 to the report; (b) approve the HRA revenue budget for 2019/20, as detailed in Appendix 2 to the report; (c) approve a rent increase of 2.93% in 2019/20 for council houses, garage sites, lock-ups and sheltered housing service charges; and (d) note the indicative rent increases of 3.65% for 2020/21 and 2.50% for 2021/22.

11. Questions

- (1) a question by Councillor Donald L. Reid to the Cabinet Member for Place in the following terms:-

“Following a recent event where an elderly and disabled couple in Beith were given a time scale of 60 days for the repair of an outside light at their front door, can I ask if NAC will consider adopting a policy of giving priority treatment to older and disabled tenants for repairs which are important for their well-being and safety.”

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

“Section 5.1 of the Council’s Housing Repairs Policy sets out the timescales for fabric repairs being carried out. The Policy has two main categories of repair: (1) emergency and (2) non-emergency repairs.

Emergency repairs are undertaken within 4 hours and non-emergency repairs are carried out, on average, within 7 working days. A repair to an external light is classified as a non-emergency and would be responded to much more quickly than the 60 day maximum timescale which was quoted by the call centre operator to the tenant.

The Repairs Policy allows for repairs to be re-categorised to support the needs of vulnerable tenants, e.g. older people and anyone who has a serious medical condition, where this is brought to the attention of the call handler. In this case the request should have been prioritised by the call centre operator as a next day repair.”

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

"Is the better measure of school performance pupils' "Insight "or "position in school league tables"?"

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

"In my view, a school's position in a league table does not manage to summarise all aspects of our learners' achievements.

The league tables simply measure the percentage of leavers who have gained either 3 or 5 passes at Higher grade.

Insight provides a better evaluation of how a school has developed all its students including those young people who are aspiring towards vocational, artistic or other specialised careers as well as SQA performance. When it comes to young people, one size definitely does not fit all."

As a supplementary question, Councillor Marshall asked why the Council did not celebrate schools' success in terms of league tables, given that this was a measure recognised by parents and which would promote North Ayrshire.

Councillor Bell responded by expressing the view that the achievement and performance of schools should be about all students, while league tables were relevant only to some 50% at best. He added that, in some other Council areas, league tables encouraged competition rather than collaboration between schools. The Council's aim was to close the attainment gap and Insight measures were a valuable support for this.

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

"Given the Scottish Government's commitment to green energy, and pledge to phase out diesel and petrol-driven vehicles by the year 2032, eight years before the UK Government, could the Cabinet Member for Place please give an update on the steps being taken to increase the availability of electric vehicle charging stations in North Ayrshire, in particular the more efficient "fast chargers"?

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

"The latest North Ayrshire Environmental Sustainability and Climate Change Strategy, which was approved by Cabinet in January 2017, sets out a range of actions across five different workstreams. One of these is to work in partnership with government agencies to explore the potential for further electric charging infrastructure throughout North Ayrshire.

I'm pleased to confirm that North Ayrshire already has a robust network of 12 charging points, with installations in each of our localities. Of these 12, eight are categorised as 'fast' 22 kilowatt charging points, and three are 'rapid' 50 kilowatt chargers. The remaining point is a 7 kilowatt standard charger.

The Council has been successful in securing £168,000 of grant funding during the current financial year to support the installation of a further six charging points. Three of these will be 'fast' and three will be 'rapid'. The new points will be located in Ardrossan, Beith, Dalry, Irvine and West Kilbride, and will all be operational prior to the end of March 2019.

Within the Place Directorate Plan, there is a commitment to preparing a North Ayrshire Electric Vehicle Strategy. This strategy will be informed by an in-depth feasibility study which will include recommendations on locations for additional accessible charge points for a range of user groups including domestic vehicles, taxis and private hire vehicles.

Lastly, I can advise that officers are in active discussions with the Energy Savings Trust to explore opportunities for further improvements to the Council's workplace charging infrastructure.

I would be happy to provide any colleague with a copy of the asset register which details the location and type of all of our electric vehicle charging infrastructure across North Ayrshire."

As a supplementary question, Councillor McClung asked for information on the source of the £168,000 in grant funding referred to by the Cabinet Member.

Councillor Montgomerie responded by undertaking to provide the requested information to all Members.

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

"In October 2018, there were two public consultation events relating to the harbour development at Ardrossan. Can the Member provide feedback on the outcomes from the events, and how is this information going to be used to inform the harbour project?"

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

“Following the Minister’s decision on the mainland port for the Arran and Kintyre ferry service, North Ayrshire Council and Peel Ports Group working with Transport Scotland, CMAL and CalMac have been developing the proposals for Ardrossan. The Client Steering Group were keen to secure early engagement and review emerging thinking with stakeholder and user interests at an early stage. The consultation was progressed in a clear understanding that the proposals outlined would be subject to change. Two events were held Brodick (23 October 2018) and Ardrossan (24 October 2018).

The event was organised as a drop-in event within accessible local centres. Consultation involved a series of boards and graphic material summarising outline proposals. 192 people attended the events.

The events were advertised by the following:

- posters in Ferry Terminals
- posters on the Brodick /Kintyre ferries
- posters in Community Buildings

Circulation of posters to:

- Stakeholder Groups
- Community Council
- Arran Ferries Group
- advertisements in Arran Banner / Ardrossan and Saltcoats Herald
- web- Social Media Links

Key issues identified included:

- the reliability of the ferry service
- apparent lack of link to the wider transport network from Ardrossan
- the design of the terminal building
- accessibility issues
- how the service and development would withstand adverse weather conditions
- how the consultation was undertaken”

Councillor Gallagher advised that a summary of the feedback from the consultation events had now been added to the public website that has been developed to support consultation on the proposals in the New Year and that all comments would be considered in the design proposals for the Harbour as matters developed. He undertook to provide the Member with a link to the feedback and confirmed that further consultation would be undertaken in 2019, following technical, feasibility and preliminary design work.”

As a supplementary question, Councillor Billings asked the Cabinet Member to ensure that the review of the feedback included details of the preferences expressed by those who had attended the consultation events and also indicated any changes which would be made to the project in light of the feedback received.

Councillor Gallagher responded by confirming that it was the intention to use the feedback received to inform the project, and he undertook to put Councillor Billings' other request to officers. The Cabinet Member also advised that he had now sent the website link to Councillor Billings.

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

"The Scottish Government recently consulted on the removal of the single person discount on the Water Charge. Questioned on 8 November 2018 by Jackie Baillie MSP, the First Minister refused to give assurance that the Government would not rule out cuts to the single person Council Tax discount.

Would the Leader of the Opposition support the removal of the single person Council Tax discount for North Ayrshire residents?"

Councillor Burns responded in the following terms:-

"I thank Cllr Marshall for his continued interest in my personal opinion. There is no proposal to remove the single person Council Tax discount and, until there is, I won't waste this Council's time answering hypothetical questions."

As a supplementary question, Councillor Marshall asked whether Councillor Burns might be encouraged to provide a response by the fact that 1,904 people in her own Ward received the single person Council Tax discount and would be poorer by £0.5m if they were to lose it.

Councillor Burns responded by reiterating her original response, that the question was hypothetical given that there were no plans, as far as she was aware, to change the discount. Councillor Burns advised that a consultation was currently underway in relation to the water charge element only, its purpose being to look at the best way of ensuring targeted support was given to those who needed it most.

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

"Councillor Robert Barr and I were nominated and sanctioned by the Full North Ayrshire Council to represent them at the new Liaison Committee for the Oil Rig Decommissioning site at Hunterston.

I believe that this was a planning condition and as such had a time limit for arranging and conducting the first meeting.

I believe that the time limit was within three months. Can you please let me know if this is the case and if there has been a breach of planning conditions?"

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

“Condition 8 of planning permission ref. 17/01273/PP, which was granted by the Council's Planning Committee on 25th April 2018, stated that a draft code of practice for the operation of the construction, repair and decommissioning of marine structures shall be submitted for the written approval of North Ayrshire Council as Planning Authority within three months of the date of the decision (i.e. not later than 25th July 2018). This was in the interests of the amenity of the area. The draft code of practice shall include the formation of a liaison committee comprising of local councillors, local community group members, the site operator and other interested parties, and should include the timescales for the meetings of the liaison committee.

Peel Ports contacted Planning Services by letter on 20th July 2018 and advised that there would be a delay in submitting this information. However, Peel Ports then submitted relevant details during Autumn 2018 which set out the proposed draft code of practice. For the avoidance of doubt, the planning condition does not place a time limit for arranging and conducting the first meeting of the liaison committee.

Peel Ports accepted the terms of the Condition at the Committee and Officers contacted Peel in both July and the Autumn to remind Peel of the need to submit the required details to purify the terms of the condition. Peel did not submit the details until the Autumn, claiming that the operational plan was still in preparation. In accordance with the Council's approved Enforcement Charter, it was considered that resolving the breach through negotiation was appropriate and it was not expedient to take formal enforcement action to require compliance.

It should be noted that non-compliance with Condition 8 did not invalidate the planning permission.”

As a supplementary question, Councillor Murdoch asked if the Chair of the Planning Committee agreed with him that the liaison committee should have met by now; when the liaison committee would hold its first meeting; and why it had taken so long for Councillor Murdoch to receive a written response to his repeated enquiries on this matter.

Councillor Marshall responded by expressing the view that it would not be appropriate to seek to resolve the matter via enforcement action and that the absence of a site operator had no doubt contributed to the delay. Councillor Marshall assured the Member that the Planning Manager was in regular contact with Peel Ports and that the liaison committee would be operating as soon as possible

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

“At the last Planning Committee meeting held on Wednesday 5th December, Ms Rita Holmes, Chair of Fairlie Community Council was mentioned in part of a discussion regarding the Hunterston Decommissioning Site.

Can you confirm in what context was her name mentioned and why considering she was present at the meeting was she not allowed to answer on her own behalf.”

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

“As a background comment, I reminded the Planning Committee that Planning Permission for decommissioning at Hunterston was granted in April and at that time a Hearing was convened at which Mrs Holmes participated representing Fairlie Community Council.

At the December meeting of the Planning Committee there was tabled a Consultation Response on behalf of the Council to SEPA with respect to the application for a waste management license at Hunterston Construction Yard.

Despite Standing Orders not specifically allowing for convening a Hearing on a Consultation, and given the Public Interest, it was decided to allow a formal request by “Friends of the Clyde” to present their objections at a Hearing. Mrs Holmes did not ask to be heard as part of that Hearing and indeed prior to meeting indicated to me that she was present as an observer only.”

12. Motions

In terms of Standing Order 13, submitted:-

- (1) a motion by Councillor McTiernan, seconded by Councillor McClung in the following terms:-

“North Ayrshire Council fully supports the principle of openness and accountability in terms of donations to, and funding of, political parties. As such, Council agrees that the Chief Executive should write to the Leader of the Conservative and Unionist Party Group to request him to make a statement to the next Council meeting in relation to the original source of an April 2016 donation of £100,000 received by the North Ayrshire and Arran Conservative and Unionist Association from the Irvine Unionist Club.”

On a point of order, the Depute Provost sought and received confirmation as to the competence of the motion.

As an amendment, Councillor Marshall, seconded by Councillor Ferguson moved that the Council:-

- a. note that the Scottish Conservative and Unionist Party is committed to openness and transparency in all political donations; and
- b. be aware of the following statement by the Scottish Conservative and Unionist Party

“The Electoral Commission has investigated the donation, and has concluded that the Trust was not exempt in terms of the 2000 Political Parties Act’s reporting requirements. The Trustees have accepted that they were at fault in failing to register the donation, and have paid the £400 fine. The Conservative Party was not investigated nor subject to any fine. The donation was not illegal.”

Following questions, debate and summing up, on a division, there voted for the amendment 8 and for the motion 10, and the motion was declared carried.

- (2) a motion by Councillor Foster, seconded by Councillor Cullinane, in the following terms:-

"Rent Support for Care Experienced Students

North Ayrshire Council recognises the Care Experienced Bursary, provided by the Students Awards Agency for Scotland, is designed to provide financial support for travel, books, food etc while recognising that many care experienced students will be unable to access the same family support while studying that many other young people receive. Care experienced students are very unlikely to be eligible for any benefits out with of the Care Experienced Bursary therefore resulting in a rent liability.

North Ayrshire Council currently have 10 young people who are in Council tenancies and eligible for the Care Experienced Bursary who have a rent liability. North Ayrshire Council therefore agrees to work with the Integration Joint Board to provide financial support to care experienced students who are our tenants and in receipt of the Care Experienced Bursary."

There being no amendment, the motion was declared carried.

The meeting ended at 3.20 p.m.



PROVOST'S REPORT

For the period covering: 10 December 2018 – 4
February 2019

The attached report gives a summary and brief details to Council, of
meetings and events attended by the Provost of North Ayrshire
Council, Councillor Ian Clarkson.

PROVOST'S REPORT

For the period covering: 10 December 2018 – 4 February 2019

Since the last meeting of the Council I have attended various events throughout North Ayrshire.

The St John and Red Cross Defence Medical Welfare Service (DMWS) 75th Anniversary Reception, Scottish Parliament, 12 December

On 12 December I attended a reception in the Scottish Parliament to mark the 75th Anniversary of the St John and Red Cross Defence Medical Welfare Service. Since 1943 the (DMWS) has been providing a professional medical welfare service to those who serve our nation.

“Bah Humbug” Christmas Show, Hayocks Primary School, Stevenston, 14 December

I was delighted to attend the Christmas Show at Hayocks Primary School, Stevenston which took place on the morning of 14 December. The show was a great success and highlighted the wonderful effort from the pupils and the excellent support from staff.

Carers' Christmas Lunch, Brisbane Hotel, Largs, 14 December

In the afternoon I was in Largs for the North Ayrshire Carers' Christmas lunch. I was happy to support this event and show my appreciation of all those carers in North Ayrshire who carry out amazing work on a daily basis and provide a better quality of life for those in their care.

Back to Bethlehem Nativity, James McFarlane School, Ardrossan, 20 December

On the morning of 20 December I attended James McFarlane School nativity. Another excellent Christmas show which was thoroughly enjoyed by pupils and staff alike.

PoppyScotland Veterans Drop In Group Christmas Lunch, Kilmarnock, 20 December

On the afternoon of 20 December I attended PoppyScotland Veterans Drop in Group Christmas Lunch. This was an opportunity to show our appreciation to all those veterans who attend the weekly drop in group. This time of year can be a difficult for veterans and in particular those who suffer from social isolation. Events such as these can help veterans to feel supported and also part of the community.

Passing out Parade of the Police Scotland Youth Volunteers in North Ayrshire, Irvine Royal Academy, 20 December

I had the pleasure of attending the Passing out Parade of the Police Scotland Youth Volunteers in North Ayrshire in Irvine Royal Academy on Thursday 20 December.

The Police Scotland Youth Volunteer Programme aims to deepen Police engagement with young people, breaking down barriers and promoting positive role models through regular training and participation in community safety initiatives and public events. They are given opportunities to discover their talents, develop skills for life and shown the benefits of making a positive contribution to their communities.

Cumbrae Primary Christmas Show, Cumbrae Primary School, Millport, 21 December

On 21 December I was delighted to attend Cumbrae Primary School's Christmas Show. The performance was excellent and enjoyed by all concerned. This was my final engagement of 2018.

Polar Plunge, Irvine Beach, 1 January

I started the year off with a splash and took to the sea at Irvine Beach to raise funds for Cash for Kids. Hundreds of people took part in this event which was a great way to bring in the New Year.

Irvine Senior Citizens' Christmas Dinner, Riverside Lodge Hotel, Irvine, 5 January

It was a pleasure to join Irvine's Senior Citizens for Christmas dinner on 5 January at the Riverside Lodge Hotel in Irvine. The event was very well attended and gives the older people in our community the chance to come together in a social setting. I also got the opportunity to speak with many of those in attendance reinforcing the valuable role our older people play in our communities.

Eglinton Burns Club Annual Dinner, Riverside Lodge Hotel, Irvine, 11 January

On 11 January I attended the Eglinton Burns Club annual dinner which was held in the Riverside Lodge Hotel in Irvine. Events like these celebrate our cultural heritage and are arranged by volunteers. The event was very well attended and enjoyed by all.

Closing of North Ayrshire Reflects Exhibition, Heritage Centre, Saltcoats, 17 January

On 17 January I, along with some colleagues, attended the closing of the North Ayrshire Reflects Exhibition in the Heritage Centre, Saltcoats. This exhibition focused on North Ayrshire 100 years ago as the Great War was coming to an end and showed what life was like in our area at that time.

Provost's Civic Pride Awards Shortleet Panel, Cunninghame House, Irvine 21 January

On 21 January I was joined by my colleagues, Councillor McPhater, Councillor Marshall, Councillor Barr, Councillor Reid, Councillor McClung and Councillor Billings to go over the nominations received for this year's Civic Pride Awards and to shortleet three in each category who will go forward to the public vote. The high standard of the nominations show the talents of groups and individuals as well as the immense work that people put in to their local communities throughout North Ayrshire. I thank my colleagues for their support in the difficult task of choosing the finalists.

Nobel Times Exhibition, Heritage Centre, Saltcoats, 25 January

On 25 January I attended a preview of the new exhibition at the Heritage Centre, Saltcoats. The Nobel Times exhibition included interesting objects, interviews, photographs and historic publications associated with the explosives factory at Ardeer.

Irvine Burns Club Annual Celebration, Volunteer Rooms, Irvine, 25 January

On 25 January Irvine Burns Club held their annual celebration in the Volunteer Rooms, Irvine. The event was very well attended and provided a fitting celebration to mark the birth of Robert Burns, our National Bard.

Kirkin' of the President Elect of Irvine Burns Club, Irvine Old Parish Church, 27 January

On 27 January I attended the Kirkin' of the President Elect of Irvine Burns Club. This was followed by a wreath laying ceremony at the Burns Statue on Irvine Moor.

Reception 70th Republic Day of India, Edinburgh City Chambers, 26 January

I attended a reception in Edinburgh City Chambers hosted by the Indian Consul General, to mark the 70th Republic Day of India. I took the opportunity to meet with many members of the Indian community at what was an excellent networking event.

Visit by Scottish Veterans Minister, Saltcoats, Kilmarnock and Irvine, 28 January

On the 28 January I accompanied the Scottish Veterans Minister on visits to the Veterans Breakfast Cub in Saltcoats, the Poppy Scotland Welfare Centre in Kilmarnock and Veterans 1st Point in Irvine. It was good to see these support services in operation and the excellent work they carry out supporting veterans and their families throughout Ayrshire.

Dickson Court Opening Ceremony, Beith, 29 January

It was a privilege to officially re-open Dickson Court, Beith after a £2.2m refurbishment on 29 January. The refurbishment features 22 high-quality and accessible sheltered homes designed to meet the needs of older residents.

Prince's Trust/ Developing Young Workforce Largs Rural Skills Project, Largs Campus, 30 January

I went along to Largs Campus on 30 January to formally launch the Rural Skills Project. This project provides students with a range of employability skills in horticulture and is supported by Developing the Young Workforce Ayrshire and the Prince's Trust Scotland.

Prince's Trust/ Developing Young Workforce Digital Defenders Launch, Auchenharvie Academy, Stevenston, 1 February

On 1 February I officially launched the Digital Defenders Project in Auchenharvie Academy Stevenston. This project provides students with a range of employability skills in IT Security and is supported by Developing the Young Workforce Ayrshire and the Prince's Trust Scotland.



A handwritten signature in black ink that reads "Ian Clarkson". The signature is written in a cursive, flowing style.

Councillor Ian Clarkson

Provost North Ayrshire Council



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

LEADER'S REPORT

For the period covering: 10 December 2018 – 4
February 2019

The attached report gives a summary and brief details to Council, of meetings and events attended by the Leader of North Ayrshire Council, Councillor Joe Cullinane.

LEADER'S REPORT

For the period covering: 10 December 2018 – 4 February 2019

OFFICIAL OPENING OF WEIRSTON HOUSING DEVELOPMENT, 13 December

On 13 December, I attended the official opening of the Weirston Housing Development in Kilwinning. The Weirston Road Housing Development has been jointly funded through Housing Association Grant funding provided by the Scottish Government (£4.5m) and by Cunninghame Housing Association (£3m) and has enabled the delivery of 64 properties in total for rent. This includes:

- 2 and 3 bedroom general needs houses
- Amenity cottage flats for older and less mobile residents
- And 2 houses specifically designed for those requiring wheelchair access
-

Thanks to excellent work between the main contractor, CCG Scotland Ltd, and also the Design Team – MAST Architects, TCS Construction (Surveyor and Principal Designer) and Clancy Consulting (Engineer), they have delivered a cost efficient and modern design that has incorporated the needs and requirements of our older community.

However, not only has this project delivered some outstanding future homes but it has also managed to deliver a robust programme of community benefits, the main one being the recruitment and training programme run by the contractor CCG Scotland Ltd, who have provided new opportunities for 3 young people, to train and learn new skills with this particular project.



Leader of NAC Councillor Cullinane and Councillor Donald Reid with Frank Sweeney Chief Executive of Cunninghame Housing Association(CHA) and other CHA colleagues

COSLA CONVENTION, 14 December

I attended the COSLA Convention on 14 December held in Dumfries House, East Ayrshire. Leaders discussed a range of issues including the Local Governance Review, a review of the Year of Young People and a report on achieving gender equality in Local Government. The promotion of gender equality in Local Government is one of the key priorities for COSLA and Leaders discussed some of the recommendations that were forthcoming from the recent gender equality conference that was held in November 2018 and various campaigns that looked at supporting more women into politics.

COSLA will now look at securing funding to enable them to take forward actions from the Gender Equality conference including the establishment of a group which will look at the barriers



preventing women getting elected to office. The group will also look at a possible mentoring scheme for women which may include a cross party Women's forum to provide peer support to others.

NETWORKING BUSINESS LUNCH, 17 December

On 17 December I attended a business networking lunch at the Gales Hotel. This lunch provided the opportunity to demonstrate to possible future investors, what North Ayrshire can offer and what we can deliver through our wide network of contacts, highlighting the successful Team North Ayrshire approach.

It is hoped that over the coming years we are able to draw more major investment to our area and provide a much needed boost to our local economy.

BURGH WELFARE COMMITTEE DINNER, 10 January

I was pleased to be invited along to the Burgh Welfare Committee dinner and social event on 10 January at the Dalgarnen hotel in Kilwinning. It was a lovely evening spent talking to some of the Committee members, their families and friends.

AYRSHIRE GROWTH DEAL RECEPTION, 15 January

On 15 January, the 3 Ayrshire Council Leaders and Chief Executives were invited to a reception in Whitehall hosted by the Secretary of State for Scotland, David Mundell. The reception was also attended by other politicians and partners who have been involved in delivering our much anticipated Ayrshire Growth Deal.

I am pleased to say that we are now in the final stages of concluding this deal, after months of hard work. The £300 million package of public sector investment will deliver key projects in Ayrshire and will include an International Contemporary Arts and Sky Park at the Big Idea in North Ayrshire as well as a Centre for Low Carbon Energy and Circularly Economy at Hunterston.



Ayrshire Council Leaders, Chief Executives, business partners and politicians at the Ayrshire Growth Deal reception held in Dover House, Whitehall on 15 January.

COMMUNITY WEALTH BUILDING WORKSHOP, 16 January

On 16 January, I attended a Community Wealth Building workshop in London facilitated by Neil McInroy from the Centre for Local Economic Strategies.

Community Wealth Building recognises that places do not necessarily need to attract new wealth to grow economically and socially. Instead they need to harness existing wealth which comes through, among other things, their anchor institutions, procurement spend, complementary currencies, banking practices and community businesses. Harnessing the wealth more effectively will bring economic, social and environmental benefits for communities.

SPORT SCOTLAND GOLD AWARD FOR BLACKLANDS PRIMARY SCHOOL, 18 January

It was a great day at Blacklands Primary school on the 18 January when they received their Gold award from Sport Scotland. They school has been doing so much work with our excellent North Ayrshire Active Schools team and this award was much deserved. Congratulations to all those involved especially all the pupils.

COSLA LEADERS, 25 January

I attended COSLA Leaders on 25 January, where Leaders discussed a range of subjects including the Local Governance Review, the draft Budget for 2019-20, Brexit and the Children and Young People's Mental Health Task Force.

It is clear from discussions on the Children and Young People's Mental Health Task Force, that there is concern that the task force becomes too focused on clinical models and proposed solutions which are traditional and that there is a real need for increased focus on prevention remembering that young people's mental health is influenced by many aspects of their life, one of these being poverty.

OFFICIAL OPENING OF DICKSON COURT, 29 January

I was delighted to attend the official opening of Dickson Court sheltered housing unit in Beith. I am very proud that as a Council, North Ayrshire is committed to caring for our older residents and providing them with homes which are second to none. This latest sheltered housing redevelopment saw us invest £1.9 million to refurbish 20 homes, as well as creating 2 new homes. This is part of our overall aim to ensure people can live independently at home, for as long as possible, as well as providing homes which meet the needs and aspirations of local people.

VISIT BY SECRETARY OF STATE FOR SCOTLAND TO AYRSHIRE, 31 January

On 31 January, I joined the Leaders from East and South Ayrshire, together with our respective Chief Executives and other representatives from the Ayrshire Growth Deal team to welcome the Secretary State for Scotland, Davide Mundell MP, to Kilmarnock.

While visiting the HALO site in Kilmarnock, Mr Mundell confirmed the financial package agreed by the UK Government which will form part of the total funding for our Ayrshire Growth Deal. It is expected that the Scottish Government will confirm similar levels of funding in the coming weeks.

The Deal will bring a much needed boost to the Ayrshire economy and improve local infrastructure potentially creating up to 13000 job and bring in the region of £2billion investment to the area.

It is hoped that “Heads of Terms”, a legal binding document will be signed with the two governments in March meaning that work can officially begin.

DISABILITY INCLUSIVE = CONFIDENT EMPLOYERS (DICE) EVENT, 1 February

On 1 February I opened the DICE event which was held at Saltcoats Town Hall. (DICE stands for Disability Inclusive = Confident Employers) and is a partnership of local agencies and employers across Ayrshire looking to inform and support local business on issues related to disability and employment.

The prime objective of Ayrshire DICE is to facilitate a change of employer attitudes and behaviours towards disability to initiate changes to policy and practice to create a more positive environment for new and existing employees.

North Ayrshire Council has a strong commitment to getting more disabled people into work. We are already an accredited “Disability Confident” employer and would encourage as many employers as possible in North Ayrshire to open up more opportunities for disabled people.



A handwritten signature in black ink, which appears to read 'Joe Cullinane'. The signature is fluid and cursive.

Councillor Joe Cullinane
Leader North Ayrshire Council

NORTH AYRSHIRE COUNCIL

Agenda Item

13 February 2019

North Ayrshire Council

Title: **Audit Scotland Report: Local Government in Scotland: Financial overview 2017/18**

Purpose: To inform Council of the findings of the recent Audit Scotland report.

Recommendation: That Council (i) notes the findings of the recent Audit Scotland report, (ii) notes the current position in North Ayrshire and (iii) considers these as part of the budget deliberations

1. Executive Summary

- 1.1 Audit Scotland published its 2017/18 financial overview of local government in Scotland at the end of November 2018. The timing of the report is intended to give councils the opportunity to use its findings to inform their budget setting. A link to the report is attached below;

[Audit Scotland Report: Local Government in Scotland Financial Overview 2017/18](#)

- 1.2 The report provides a high level independent analysis of the financial performance of councils during 2017/18 and their year-end financial position. It also comments on the financial outlook for councils. The report has a summary of key findings with more detail provided in four parts covering;

- Councils' budgets and spending in 2017/18;
- Councils' financial position;
- Integration Joint Boards' overview 2017/18; and
- Councils' financial outlook.

- 1.4 The report sets out a number of questions that councillors may wish to consider to help them understand their council's financial position and scrutinise its financial performance. These questions are published in a separate supplement. A link to the document is attached here;

[Local Government Financial Overview 2017/18: Scrutiny Tool for Councillors](#)

- 1.5 Appendix 1 to this report highlights the key messages identified within the Audit Scotland report and notes the current position of North Ayrshire Council in relation to these.
- 1.6 A copy of the Actions emerging from the 2017/18 Audit is attached at Appendix 2.

2. Background

Financial Overview 2017/18

- 2.1 The report examines the strategic financial position of local government in Scotland in 2017/18.
- 2.2 A summary is provided within the report with further information provided in 4 main sections:
- Part 1 - Councils' budgets and spending in 2017/18;
 - Part 2 - Councils' financial position
 - Part 3 - Integration Joint Boards' overview 2017/18; and
 - Part 4 - Councils' financial outlook.

2.3 Key Messages

Audit Scotland Report

- 2.3.1 Common themes emerge across the Summary and the 4 Parts of the report, some of which have been contained within previous Audit Scotland overview reports. These are summarised below;
- councils dependency on Scottish Government funding and the continuing significant financial challenges, with funding not keeping pace with increasing costs, demands and new policy commitments and in particular the impact of this on non-protected services;
 - the protection of education and social work being met from reductions in other services;
 - councils managing their funding gaps through savings and use of reserves;
 - the need for councils to identify risk and develop contingency plans around EU withdrawal;
 - the high level of debt of some councils relative to their size and the strategies to fund this;
 - high level commentary on a number of issues relating to IJBs including; growth in funding, financial sustainability, reserves and medium term financial planning;
 - publication of the Scottish Government five year financial strategy and the potential impact of this on local government funding levels;

- Councils progress on medium and long term financial planning and early stage delivery of transformational change.

North Ayrshire Council

2.3.2 An update on the North Ayrshire position is noted below;

- the Long Term Financial Outlook approved at Council on 4 October 2017 is the cornerstone of the Council's financial planning framework and outlines the scale of the potential financial challenge facing North Ayrshire Council by 2027/28;
- the council continues to review its 3 year rolling medium term financial plan as part of the annual budget setting;
- Having delivered savings of £92m over the period 2010/11 to 2018/19 identification of new options is becoming increasingly challenging;
- Similar to the national position education and health and social care have been protected relative to other services;
- Transformation 2 has been closed off and next phase transformation will be incorporated into the new Council Plan;
- Council's unearmarked reserves are sitting at the minimum acceptable level of 2% with a bi annual review of all reserves undertaken;
- Reserves have supported non-recurring investment and the core budget since 2017/18;
- the council borrows for capital investment in line with its approved capital plan with affordability confirmed in its Treasury Management and Investment Strategy;
- need to ensure robust financial discipline across services continues to be applied;
- continued financial support for the Health and Social Care Partnership to deliver outcomes within the agreed financial envelope and repay the £5.8m debt to the Council;
- regular reporting to Audit and Scrutiny on the risks and mitigation of Brexit

2.3.3 All actions identified as part of the Council's external audit, as referenced at Appendix 2, have been progressed.

3. Proposals

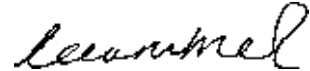
3.1 That Council notes the findings of the recent Audit Scotland report and the current position in North Ayrshire.

4. Implications

Financial:	<p>The Audit Scotland report highlights the reliance of local government on Scottish Government grant funding and the need for the development of robust medium and longer term financial plans to develop sustainable solutions to bridge the anticipated funding gap.</p> <p>North Ayrshire Council develops medium term financial plans on a three year rolling basis and Council approved the (10 year) Long Term Financial Outlook on 4 October 2017. Financial sustainability, including the need to ensure an appropriate level of reserves, is a focus of the annual external audit.</p> <p>The challenging position of IJBs is noted, whilst this is a matter for IJBs it is important to the Council as a key funding partner.</p>
Human Resources:	As part of a sustainable financial strategy the Council continues to actively manage the size of its workforce. Regular communication and consultation takes place with the workforce and Trade Unions.
Legal:	There are no direct legal implications associated with this report.
Equality: Children and Young People;	Equality impact assessment are carried out for all options identified as part of the medium and long term financial plans
Environmental & Sustainability:	There are no direct environmental and sustainability implications associated with this report.
Key Priorities:	In addressing the financial challenges which it faces, the Council seeks to minimise the impact on delivering its key priorities.
Community Benefits:	There are no direct community benefits associated with this report.

5. Consultation

5.1 There was no requirement to consult on the preparation of this report.



LAURA FRIEL
Executive Director (Finance and Corporate Support)

Reference:

For further information please contact Laura Friel, Executive Director
(Finance and Corporate Support) on 01294 324554

Background Papers

None

Audit Scotland: Local Government in Scotland Financial Overview 2017/18

Summary

Ref	Key Message	NAC Feedback
S1	Councils depend on Scottish Government funding for a significant part of their income. Scottish Government revenue funding to councils reduced in 2017/18, in cash terms by 0.6 per cent (£0.06 billion) and in real terms, by 2.3 per cent (£0.22 billion). Council tax increases and increased fees and charges were used by councils to increase overall budgets by £0.3 billion (cash terms).	The initial core grant settlement to North Ayrshire Council in 2017/18 reduced by £9.2m (3.44%). This was augmented by £3.484m of non-recurring funding as the Scottish Government (SG) Budget progressed through the Parliamentary process, amending the final reduction to 2.14%. This funding was later confirmed as recurring as part of the 2018/19 SG Budget. Additional ring fenced funding of £4.340m was provided for the new Pupil Equity Fund. The 3% uplift in council tax alongside additional income from the Council tax band changes and other less significant changes provided £4.614m of additional funding. Additional income from Increased fees and charges was £0.090m.
S2	In 2017/18, councils managed funding gaps of four per cent in their net expenditure budgets of £12 billion, mainly through savings and planned use of reserves. Councils are under pressure to find different ways to fund and deliver services. In 2017/18, 24 councils increased council tax, whereas in 2018/19, all councils increased council tax.	In 2017/18 the North Ayrshire budget gap as a result of less funding and additional cost of service delivery, including recognised pressures, was £7.139m representing 2.2% of the recurring funding base. Non-recurring funding of £8.782m was applied in 2017/18 to support non-recurring investment and the establishment of a challenge fund to support transformation in the health and social care partnership. In recognition of the pressures on local government funding North Ayrshire has increased council tax in each of the years following the lift of the freeze and has complied with the Scottish Government cap of 3%.
S3	Overall increases in spending in Education and Social Work were offset by reductions in other services.	In 2017/18 73% of the savings came from Economy and Communities and Place which represent 23% of the council's total budget. This position continued into 2018/19 but to a lesser extent with 38% of the savings being delivered by Economy and Communities and Place, this reducing contribution reflects the level of savings which these services have delivered since 2010/11.

Ref	Key Message	NAC Feedback
S4	Eighteen councils ended 2017/18 with lower levels of usable reserves than they had at the start of the year. Total usable reserves fell by £18 million, a relatively small amount.	<p>The level of useable reserves for North Ayrshire at the end of 2017/18 was broadly similar to that at the start of the financial year. Reserves are reviewed twice per annum, when closing the Accounts and setting the Budget to ensure they reflect future commitments and the risk profile of the Council.</p> <p>The Council used £8.782m of reserves to fund services in 2017/18 and £3.500m in 2018/19.</p>
S5	Funding to the Integration Joint Boards (IJBs) increased in 2017/18 by three per cent in cash terms (1.4 per cent in real terms), including additional funding from the NHS. The majority of IJBs have underlying financial sustainability issues, with 20 incurring deficits or dependent on additional ('deficit') funding from their partners.	In 2017/18 NAC increased its funding to the North Ayrshire IJB (NAIJB) by £2.985m, an increase of 3.4%. The NA IJB hasn't delivered in year financial balance since inception with the Council providing additional funding in the shadow and initial year. As a result of additional funding not being provided since 2016/17 the NA IJB has a deficit of £5.8m, with the debt being owed to the Council. Plans are in place for these funds to be repaid, commencing in 2018/19. Establishment of a discrete Chief Finance and Transformation Officer and more robust financial planning and management is helping the HSCP progress towards financially sustainable service delivery in 2018/19.
S6	The financial outlook is for reductions in Scottish Government revenue funding to councils. This will mean continued and increasing financial pressures on council services, especially those that are not protected	<p>North Ayrshire Council has delivered savings of £92m between 2010/11 and 2018/19 meaning that future reductions will be more challenging. The Council's transformation programme alongside a different relationship with our communities will seek to mitigate the impact of future savings.</p> <p>As noted at S3 it is becoming increasingly difficult to deliver savings from the non-protected elements of the Council's budget.</p>
S7	The impact of EU withdrawal is not yet clear, but councils need to identify the risks and develop contingency plans to manage these risks	The Audit and Scrutiny Committee of North Ayrshire Council receives regular updates on risks and mitigation associated with Brexit. The Council participates in a number of national bodies to ensure it is fully informed of emerging risk to allow it to assess further mitigations.

Part 1 Councils' budgets and spending in 2017/18

Ref	Key Message	NAC Feedback
P1 (1)	Councils depend on Scottish Government funding for a significant part of their income. Scottish Government revenue funding to councils reduced by 2.3 per cent (£0.2 billion) in real terms in 2017/18, but council tax, grants to services and fees and charges increased, and overall budgets grew by £0.3 billion in cash terms.	Almost 85% of NAC's funding is from Scottish Government Grant. Refer to S1
P1 (2)	Between 2013/14 and 2017/18, funding from the Scottish Government to local government decreased at a faster rate, 6.92 per cent, than the Scottish Government revenue budget at 1.65 per cent.	Between 2013/14 and 2017/18 the reduction to North Ayrshire Council's core budget was £12.307m, 5.2%. Alongside this additional funding of £15.780m was provided to support new Scottish Government policies.
P1 (3)	Distribution of funding from the Scottish Government is based mainly on population but could be more transparent to ensure clarity about how funding distribution reflects factors that drive demand and costs in councils.	North Ayrshire would support a review of the current funding and distribution formula to ensure total resources support core services alongside new policy priorities and ensure appropriate cognisance is taken of deprivation.
P1 (4)	In 2017/18, councils managed funding gaps of four per cent in their net expenditure budgets of £12 billion, mainly through savings and planned use of reserves. Their outturn at the year-end was better than budgeted.	Refer to S2 and S4. The Final outturn for North Ayrshire in 2017/18 was a breakeven position after earmarking £2.5m to support the 2018/19 financial plan.
P1 (5)	Overall increases in spending in Education and Social Work were offset by reductions in other services	Refer to S3

Part 2 Councils financial position

Ref	Key Messages	NAC position
P2 (1)	Eighteen councils drew on their usable reserves in 2017/18, overall by a relatively small amount.	Refer to S4
P2 (2)	Some councils have relatively higher levels of debt for their size.	North Ayrshire Council borrows in line with its long term capital investment programme and treasury management and investment strategy. The Council's annual loan charges are 5%

Ref	Key Messages	NAC position
		of the net General Fund expenditure, with overall affordability set out in the Treasury Management and Investment Strategy.
P2 (3)	Local policies vary on whether cash and investments are held to support reserves. This could increase the need for further future borrowing.	<p>North Ayrshire's treasury management function ensures that the Council's funds are managed in accordance with the relevant professional codes, such that sufficient cash is available to meet service activity. This involves organisation of the cash flow and where capital plans require, appropriate borrowing.</p> <p>In line with the above and in the interests of best value the Council continues to be "under borrowed" by £50.5m, as at 31 March 2018, this means that the Council is using internal funds to support its capital financing requirements.</p>
P2 (4)	Capital expenditure in 2017/18 decreased by five per cent in real terms. Housing and education were the main areas of investment. Despite this the number of social houses provided by councils continues to fall.	<p>North Ayrshire's General Services' final General Fund capital expenditure for 2017/18 was £32.0m compared to £48.7m in 2016/17. The 2016/17 expenditure included £24.5m expenditure on major capital projects at Garnock Campus and Irvine Leisure Centre.</p> <p>North Ayrshire has an ambitious programme of investing in its existing housing stock and plans to build 803 new house by 2023. In 2017/18 £25.5m was capital investment was made in the Council's housing stock, alongside £17.2m of revenue investment. As at 31 March 2018 271 new houses have been built as part of the Council's 1,375 ten year target.</p>
P2 (5)	Some councils have had significant increases in their debt positions.	<p>Refer to P2(2) and P2(3)</p> <p>In 2017/18 North Ayrshire borrowed in line with its long term capital investment programme and treasury management strategy. The level of borrowing was £27.1m more than 2016/17, primarily due to a new DBFM arrangement, £45.4m, partly offset by reduced short term borrowing, £18.3m.</p>
P2 (6)	There were delays with the valuation of pension's liabilities in councils across Scotland in 2017/18, but the net pension liability has reduced substantially in 2017/18.	The Council is reliant on the Strathclyde Pension Fund to provide timely accurate information on the net position of the Fund. A revaluation of the net position required some late adjustments to the Council's Unaudited Accounts.
P2 (7)	Management commentaries in councils' accounts should do	A significant review of the format and content of the Council's

Ref	Key Messages	NAC position
	more to explain financial outturn against budget.	Management Commentary was carried out in 2018/19. The Council's external auditors recognised this as an example of best practice.

Part 3 Integration Joint Boards' overview 2017/18

Ref	Key Messages	NAC position
P3 (1)	Funding to the IJBs increased in 2017/18 by three per cent in cash terms. Most of this additional funding came from the NHS and includes additional Scottish Government funding to the NHS for IJBs of £107 million.	Refer to S5. The information noted at S5 reflects the additional funds made available by the Council for the IJB. The North Ayrshire share of the additional £107m made available via the Health Settlement was £3.1m. This funding was earmarked to meet the additional costs of living wage in purchased social care and sleepovers.
P3 (2)	The majority of IJBs have underlying financial sustainability issues, with 11 out of 30 incurring deficits in 2017/18. A further eight would have incurred deficits without additional ('deficit') funding from their partners.	Refer to S5.
P3 (3)	Reserve positions vary enormously between IJBs.	Refer to S5 The North Ayrshire IJB has a Reserves Policy. Financial performance to date has prevented the IJB from building up reserves.
P3 (4)	Medium-term financial planning is not used by most IJBs and further improvements to financial management should be introduced.	The North Ayrshire IJB's medium term financial plan was approved in March 2017, this is being refreshed currently with a revised plan being presented to the IJB in March 2019. A number of concerns had been raised about financial management with the HSCP with a report being presented to the IJB Performance and Audit Committee and the Council's Audit and Scrutiny Committee. Steps have been taken to improve performance with the November 2018 financial performance report showing a significant improvement in delivering services within the approved budget.

Part 4 Councils' financial outlook

Ref	Key Messages	NAC position
P4 (1)	In 2018/19, Scottish Government revenue funding to local government increased by 0.2 per cent after two years of real-terms reductions.	<p>The core grant settlement for North Ayrshire Council was a marginal increase of £0.136m, 0.05%. Similar to 2017/18 additional funds had been made available to local government as the SG Bill progressed through Parliament.</p> <p>In addition to the core Settlement £6.266m was made available to fund Scottish Government policy, including community justice, health and social care and ELC expansion.</p>
P4 (2)	The Scottish Government published a five-year financial strategy in May 2018, but multi-year budgets are not yet being developed. The financial strategy identifies greater future uncertainty and likely further reductions of nine per cent in real terms over the next five years in 'other non-protected' council funding.	The Scottish Government five year financial strategy summarized the key national policies. Allocation of funding aligned to the policy will continue to be through the Scottish Government Budget. The Strategy sets out the anticipated less favourable funding position of non-protected services, the most significant of which is local government. A movement towards multiyear Financial Settlements is essential to provide greater certainty and support more effective medium and longer term financial planning.
P4 (3)	Many councils are in the early stages of delivering transformational change.	A summary report on delivery of T2, the Council's current transformation programme will be presented to Cabinet on 12 February 2019. This demonstrates that 23% of savings over the period of the plan were delivered through transformation. The Council Plan which is due to be considered by Council on 17 March 2019 sets out the next phase transformation aligned to the new Plan, this will evolve as new transformation initiatives are identified.
P4 (4)	Medium-term financial planning has been adopted by almost all councils,	The Council considers a rolling three year Medium

Ref	Key Messages	NAC position
	but less than half have significant long-term plans over five years.	Term Financial Plan when it sets its annual budget. This is underpinned by the Long Term Financial Outlook which was approved by Council in October 2017.
P4 (5)	Councils expect to manage smaller funding gaps in 2018/19 of £0.3 billion (two per cent), with all 32 councils raising council tax rates by three per cent in 2018/19. There are no councils where the budgeted use of reserves is a critical issue over the next three years.	North Ayrshire was required to deliver savings of £10.482m (3.2%) in 2018/19, after applying reserves of £3.5m and increasing council tax by 3%. This compared with £7.140m in 2017/18.
P4 (6)	The impact of EU withdrawal is not yet clear, but councils need to identify the risks and develop contingency plans to manage these risks, as far as possible.	Refer to s7

Action plan

Recommendations for improvement

Area	Recommendation	Management response	Responsible person	Target date	Priority
Transformation programme	The Council acknowledge that at present it currently doesn't have a clear plan to demonstrate how its transformational activity across the Council will achieve the required financial benefits to address the significant funding gap over the medium to longer term. We recommend that this is progressed to ensure that the Council can clearly demonstrate how services plan to change to meet the challenging financial position. It is important that there is clear member input into the process, with effective collaboration between members in order for the transformation of service delivery to be successful.	A refreshed transformation plan will go to the Transformation Board and to Cabinet later in 2018/19 and will incorporate progress against the T2 programme including savings delivered to date, key transformation themes and projects, engagement and governance arrangements.	Chief Executive	31 March 2019	High
Cash reconciliations	In the absence of a functioning automatic cash reconciliation process within the new ledger system, the Council should implement a manual reconciliation process to allow period end cash balances to be fully reconciled in a timely manner (see page 16).	A manual reconciliation process has been implemented for all cash balances and the Council continues to work with the software provider to develop the functionality of the automated process.	Head of Finance	31 March 2019	High

Action plan (continued)

Recommendations for improvement (continued)

Area	Recommendation	Management response	Responsible person	Target date	Priority
Reporting to Members	The process involved in reporting to Cabinet should be reviewed to determine if reporting can be performed in a more timely manner. Currently, reporting to Cabinet on each period typically takes place two months after period end (see page 33).	Outwith Cabinet reporting regular engagement takes place with Services. An immediate review of the Cabinet reporting timetable for 18-19 indicates a 6 week timeframe from period end until Cabinet reporting, with the exception of the first report due to summer recess. Financial reporting to Cabinet includes a detailed forecast position to the financial year end as opposed to variance analysis up to the reporting period. Arrangements will be kept under review to try and secure earlier reporting.	Executive Director of Finance and Corporate Support	31 March 2019	Medium
Non Domestic Rates grant	Management should ensure that all required reports and information be pulled from the NDR system as at year end for the purpose of the external audit (see page 16).	The Non Domestic Rates year end procedures will be revised to ensure that all required information is available.	Head of Finance	31 March 2019	Low

NORTH AYRSHIRE COUNCIL

13 February 2019

North Ayrshire Council

Title: North Ayrshire Charitable Trusts

Purpose:

- a) To seek the Council's approval for expenditure from Kilwinning Town Charitable Trust by Kilwinning Locality Partnership;
- b) To update the Council on the current balances of the dormant and low value charitable trusts; and
- c) To seek the Council's permission to allow Locality Partnerships to continue to spend balances from the dormant and low value charitable trusts which may result in the winding up of trusts, subject to OSCR approval.

Recommendation: That the Council:

- a) Approves the requested expenditure from Kilwinning Town Charitable Trust;
- b) Notes the current balances of the dormant and low value charitable trusts; and
- c) Grants permission to allow Locality Partnerships to continue to spend balances from the dormant and low value charitable trusts which may result in the winding up of trusts, subject to OSCR approval.

1. Executive Summary

- 1.1 The Council administers a number of trusts, largely composed of bequests made many years ago. There are a number of trusts established for each town for which the Council holds funds and these are the subject of the current report. This report seeks approval for expenditure from The Kilwinning Town Charitable Trust and seeks permission for Locality Partnerships to spend balances from dormant and low values trusts which may result in the winding up of these trusts.
- 1.2 The Office of the Scottish Charity Regulator (OSCR) is keen that charities fulfil their charitable purposes and External Audit has previously expressed concern about continued lack of activity in these dormant and low value trusts. If no other action is taken, the annual external audit fee and administrative charges will eventually exhaust these trusts.
- 1.3 The report also provides an update on the current allocations and balances relating to the remaining trusts.

2. Background

- 2.1 Each year, the Council is required to approve the level of expenditure from the trusts with the authority to approve individual disbursements delegated to the Locality Partnerships, provided that the spend is contained within the in-year budget.
- 2.2 The Trusts make annual disbursements to groups and individuals based on approved criteria. While the Trusts are often restricted to a defined location, all Members are responsible for ensuring that they are properly administered within the terms of the relevant trust deed criteria.
- 2.3 The purpose of the town trusts is to provide assistance to persons in need within the defined area of each fund, as specified by the original bequest.
- 2.4 Historically the Registered Charitable Trusts (RCT) were not charged an administration fees for the work carried out on their behalf by the Council. Since 2014/15 Trust Accounts have been audited by the Council's External Auditors incurring a separate audit fee, which to date has been absorbed by the Council. In accordance with recognised accounting practice the administration cost and external audit fees have been allocated to all Funds since 2018-19.
- 2.5 The level of grant available for disbursement is the net annual income after meeting all expenditure commitments. In previous years it has generally been recommended that only the net income is available for trustees to disburse, ensuring that capital balances are left intact. For a number of reasons this may no longer be the best option for certain trusts.
- 2.6 The Office of the Scottish Charity Regulator (OSCR) is keen that charities fulfil their charitable purposes and External Audit has previously expressed concern about continued lack of activity in these dormant and low value trusts. If no other action is taken, the annual external audit fee and administrative charges will eventually exhaust these trusts.
- 2.7 As such it may be better to exhaust the trust through a particular project with any disbursement complying with the trust purposes. Any disbursement that will result in the winding up of a registered trust must be approved by the Office of the Scottish Charity Regulator (OSCR) before the relevant Locality Partnership agrees the grant.
- 2.8 Officers have delegated powers to make grants from Trusts on the recommendation of Locality Partnerships. However if such grants will exhaust dormant or low value charitable trusts, Council approval will be required as this will result in the winding up of trusts, subject to OSCR approval.

2.9 There is a current request, recommended by the Kilwinning Locality Partnership, for spend for which Council approval is sought:

Kilwinning Town Charitable Trust: Up to £40,000 from the Kilwinning Town Charitable Trust as match funding for sportsscotland, Scottish Football Association, Scottish Landfill Trust and Scottish Football Partnership grants for Kilwinning Community Sports Club to replace a 3G pitch (estimated cost c. £175,000). A total of £130,000 has been secured from external partners. The funding Kilwinning Community Sport Club have secured is broken down as follows:

- Sports Scotland: £40,000 (or 22% of cost if this is under £40,000);
- Scottish Landfill Trust: £40,000; and
- Scottish FA Cashback £40,000.

2.10 Elected members and Council officers are currently working across all localities to identify community projects which could benefit from the funds, based on the Council's previous instruction which agreed to capital spend from the dormant and low value trusts (17th June, 2015).

2.11 Those trusts identified as dormant at 31 March 2018 are listed on the following table. Expenditure opportunities have already been identified in relation to the Douglas Sellers and Beith & Gateside Trusts.

Trusts	Balance at 31/3/18	Spend to 31/12/18	Current Balance	Proposed Expenditure	Remaining Balance
Anderson Park	£808.14	-	£808.14	-	£808.14
Douglas Sellers	£1,818.95	£402.80	£1,416.15	-	£1,416.15
Beith & Gateside	£9,848.59	£3,000.00	£6,848.59	-	£6,848.59
Irvine*	£23,068.25	£23,000.00	£68.25	-	£68.25
McGavin Park*	£2,331.68	£2,330.00	£1.68	-	£1.68
North Ayrshire Museum	£24,993.33	-	£24,993.33	-	£24,993.33
War Memorial Fund	£486.13	-	£486.13	-	£486.13

* OSCR is currently reviewing the wind-up of these Trusts

2.12 In addition there are a number of low value trusts which may require to be wound up:

Trusts	Balance at 31/3/18	Spend to 31/12/18	Current Balance	Proposed Expenditure	Remaining Balance
Dalry	£5,764.37	£1,835.00	£3,929.37	-	£3,929.37
Kilbirnie	£5,016.07	-	£5,016.07	-	£5,016.07
Kilwinning	£131,687.20	£47,094.80	£129,592.40	**Up to £40,000.00	£44,592.40
Largs	£8,173.84	-	£8,173.84	-	£8,173.84

** See para 2.9.

3. Proposals

It is proposed that the Council:

- 3.1 Approves the requested expenditure from the Kilwinning Town Charitable Trust (up to the value of £40,000);
- 3.2 Notes the current balances of the dormant and low value charitable trusts; and
- 3.3 Grants permission to Locality Partnerships to continue to spend balances from the dormant and low value charitable trusts which may result in the winding up of trusts, subject to OSCR approval.

4. Implications/Socio-economic Duty

Financial:	Approval of the budgets outlined in paragraphs 2.8 and 2.9 will allow each Locality Partnership to disburse individual grants up to the value of the approved levels.
Human Resources:	There are no HR implications relating directly to this report.
Legal:	All expenditure from trusts must be for the trust purposes and winding up of trusts will require the approval of OSCR.
Equality/Socio-economic Duty:	There are no equality implications relating directly to this report. The investment will enhance opportunities for activity, volunteering, participation and employment in an SIMD area.
Children and Young People:	There are no implications relating directly to children and young people in this report.
Environmental & Sustainability:	There are no environmental implications relating directly to this report.
Key Priorities:	The proposals contained within the report support the North Ayrshire Council Plan 2015-2020 priorities: <ul style="list-style-type: none">• Priority 1 Growing our economy, increasing employment and regenerating towns• Priority 2 Working together to build stronger communities• Priority 3: Ensuring people have the right skills for learning, life and work.• Priority 4: Supporting people to stay safe, healthy and active.
Community Benefits:	Grants will be disbursed to people or groups within the community who meet the necessary criteria.

5. Consultation

- 5.1 Locality Partnership members are involved and consulted on an ongoing basis in relation to disbursement of funds.



Karen Yeomans
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For further information please contact **Audrey Sutton, Head of Service (Connected Communities)**, on **(01294) 324414**.

Background Papers

N/A

