



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council

A Meeting of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 15 February 2023** at **14:00** to consider the undernoted business.

Meeting Arrangements - Hybrid Meetings

This meeting will be held on a predominantly physical basis but with provision, by prior notification, for remote attendance by Elected Members in accordance with the provisions of the Local Government (Scotland) Act 2003. Where possible, the meeting will be live-streamed and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>.

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 (i) Ordinary Meeting of the Council held on 14 December 2022, (ii) the Special Meeting of the Council held on 14 December 2022s and (iii) the Special Meeting of the Council held on 18 January 2023 will be confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4 Provost's Report

Submit report by the Provost for the period covering 5 December 2022 - 5 February 2023 (copy enclosed).

5 Leader's Report

Submit report by the Leader of the Council for the period covering 5 December 2022 - 5 February 2023 (copy enclosed).

6 Minute Volume (issued under separate cover)

Submit, for noting and for approval of any recommendations contained therein, the Minutes of Meeting of committees of the Council held in the period 1 September 2022 - 31 January 2023.

7 North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held in December 2022

Submit report by the Executive Director (Communities and Education) on the Minutes of the meeting of the North Ayrshire Community Planning Partnership Board held on 8 December 2022 (copy enclosed).

8 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 by Councillor Donald L Reid, seconded by Councillor Dickson, in the following terms:

"At the National Concert Band Festival (Scotland Regional Festival) held in Garnock Academy on Sunday 22 January North Ayrshire Schools Concert Band (conductor Steven Cowling) and Garnock Valley Community Concert Band (Conductor Alan Friel) respectively received a Gold and Platinum Award.

The adjudicators were Heather Nicoll and Bryan Allen, distinguished musicians and adjudicators who were fulsome in their praises of both bands who now go forwarded to the UK Concert Band Festival in Manchester in April 2023.

North Ayrshire Council notes both awards and wishes all the musicians and conductors well at the national finals."

9 Car Parking Charges

Submit report by the Executive Director (Place) on a remit from the Cabinet inviting the Council to consider and agree the outcome and recommendations arising from the local discussions held with Ward Members and local measures proposed following the introduction of DPE and car parking charges, and to consider and agree the level of parking charges to be introduced (copy enclosed).

10 Appointment to Outside Body

The Council is invited, in respect of Cunninghame Housing Association, (i) to note the resignation of Councillor Davidson and (ii) consider a nomination for Councillor Collier to be appointed to fill this vacancy in terms of Standing Order 8.4.

11 Committee Timetable: July-December 2023

Submit report by the Chief Executive on a proposed timetable of meetings for the period from July until the end of December 2023 (copy enclosed).

12 Housing Revenue Account (HRA) Capital Investment Programme, Revenue Budget and Rent Levels for 2023/24

Submit report by the Executive Director (Place) on the proposed HRA capital investment programme and revenue budget for 2023/24 and the consequential rent levels (copy enclosed).

13 Review of Accounting Arrangements for PFI and Similar Contracts

Submit report by the Head of Finance on a proposal to revise the current methodology used to determine the statutory repayment of debt charged to the General Fund in relation to the Council's service concession contracts. (copy enclosed).

This report was subject to initial consideration by the Council on 14 December 2022 and continued for consideration following an all-Member briefing.

14 Non Domestic Rates Empty Property Relief

Submit report by the Head of Finance on the proposed policy for the provision of Empty Property Relief in relation to Non Domestic Rates following devolution of responsibility to local authorities from 1 April 2023 (copy enclosed).

15 Questions

In terms of Standing Order 14, submit:-

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

"Following the alarming and informative article in The Herald on 4th February 2023 about the potential closure of the Arran Outdoor Education Centre, what steps is the Council taking to ensure that this 'World Class' facility is able to continue its 'transformative' work which positively impacts every pupils' 'attitude, self-esteem, confidence, resilience, teamwork, ambition, determination, work ethic, achievement, mental health, independence and social and emotional behaviour'?"

(2) a question by Councillor Montgomerie to the Cabinet Member for the Economy and Climate Change in the following terms:

“Under the last Administration, North Ayrshire is now the second highest performing local authority in Scotland for recycling. Other local authorities have introduced garden waste charges. Can the Cabinet Member tell me what impact introducing these waste collection charges has had on recycling rates in those council areas?”

(3) a question by Councillor Murdoch to the Cabinet Member for the Economy and Climate Change in the following terms:

“Is the Member happy with North Ayrshire Council’s procedure for dealing with potholes and other faults on roads and footways?”

(4) a question by Councillor Stalker to the Cabinet Member for Finance in the following terms:

“As I’m sure all Councillors here I am spending a lot of time answering emails on pot holes and the state of some of our pavements. Can I ask the Cabinet Member for a total of compensation that North Ayrshire has paid out over the past year for claims against Council for vehicle repairs and personal accidents.”

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

“Last year the Scottish Government decided to reduce North Ayrshire’s Attainment Challenge funding by £4.4m, with the funding reducing by £1.1m each year. Can the Cabinet Member tell me what impact the £1.1m cut in 2023/24 will have on staff levels, including both teaching and non-teaching staff, and what service changes will come as a result of the cut?”

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

“Is the Member happy with North Ayrshire Council’s process for dealing with claims related to damaged vehicles as a result of Roads Faults?”

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

“To ask the Leader of the Council if they like me are concerned about recent reports involving female students at Kilwinning College having to remove their clothes in front of a recently convicted rapist and sex offender?”

(8) a question by Councillor Kerr to the Cabinet Member for Health and Social Care in the following terms:

“Given the news that the Scottish Government have clawed back over £8 million from the reserves of the HSCP, does the Cabinet Member believe this will have a positive or negative impact on the HSCP meeting its strategic priorities?”

(9) a question by Councillor Marshall to the Cabinet Member for Finance in the following terms:

“How many members of staff employed by the Council have in their job description any of the following descriptors (or equivalent synonyms) of “Diversity, Inclusion, or Equality” and what is their total salaries?”

(10) a question by Councillor Foster to the Leader of the Council in the following terms:

“Does the Leader of the Council believe that if some families or individuals living in North Ayrshire had to fork out at least an extra £28 every month on Council charges would this increase or decrease poverty levels in North Ayrshire?”

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

“Can the Member please advise if North Ayrshire Council has ever or continues to (i) provide referrals or signpost young people to LGBT Youth Scotland? (ii) provide any funding to this organisation?”

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

“Can the Cabinet Member for Education tell us how many North Ayrshire pupils have visited Arran Outdoor Education Centre as part of a school residential since the centre reopened following Covid restrictions?”

(13) a question by Councillor T. Ferguson to the Cabinet Member for Education in the following terms:

“To ask the Cabinet Member for Education to provide an update on the use of Facial Recognition Technology in schools following the recently published report from the Information Commissioner’s Office.”

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

“Anti-poverty charities such as Child Poverty Action Group (CPAG) have been campaigning to reduce the Cost of the School Day, pointing out that the costs associated with sending children to school are a financial barrier to a good education for many families and their children. The last Administration introduced North Ayrshire’s Cost of the School Day policy, with £500,000 of recurring annual funding, which was warmly welcomed by those anti-poverty charities. Can the Cabinet Member tell us how, to date, the funding has been used?”

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

“How much has North Ayrshire Council paid to Calmac in 2022 for following ferry travel to and from Arran and Cumbrae:

- Staff employed by North Ayrshire Council
- Staff employed by the Health and Social Care Partnership
- Waste vehicles
- Other vehicles”

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

“To ask the Leader of the Council in her role as our representative on the NHS Ayrshire and Arran board how many patients in the health board waiting more than 12 hours in A&E in the past year?”

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

“A leading Scottish athletic champion has spoken out about Scottish government regulations which permit children to enter competitions in which gender they identify with.

She said at a school athletic championship in 2022 pupils there was a boy who identified as a trans girl.

The advice given by local council's active schools team was that children can compete in the gender they identify on the day.

The trans girl entered the girls events and won all her events. What advice does North Ayrshire Active Schools Team give in such a situation?”

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

“How many new contracts has North Ayrshire Council set up with companies and individuals based in North Ayrshire that can be directly accredited to the Community Wealth Building initiative set up in 2020?”

(19) a question by Councillor Billings to the Cabinet Member for the Economy and Climate Change in the following terms:

“How many new jobs have been created within North Ayrshire that can be directly accredited to the Community Wealth Building initiative set up in 2020?”

16 Motion to Amend Standing Orders

A Notice of Motion having been submitted in terms of Standing Order 24 and duly noted at the last ordinary meeting of the Council on 14 December 2022, Council is invited to consider the proposed changes set out in the following Motion:

(1) a motion by Councillor Foster, seconded by Councillor McDonald

"(a) that clause 14.1 of Standing Orders be amended as follows:- the words "The question as tabled should not include supplementary or contextual text." where they occur on the fourth to fifth lines thereof shall be deleted and the words "The question as tabled should only contain contextual information as preamble that is directly related and sufficient to facilitate understanding of the question." substituted therefor

(b) that clause 14.2 of Standing Orders be amended as follows:-

(i) the number "45" where it occurs on the first line thereof shall be replaced with the number "60"

(ii) the words "within one hour of the meeting ending" shall be inserted between the words "provided" and "included" where they occur on the last line thereof.

(c) that clause 14.3 of Standing Orders is deleted and replaced with the following:

"The process for selecting the order of questions for the agenda is as follows:

- Questions received are divided into lots:
 - Lot one - main Opposition;
 - Lot two - second Opposition;
 - Lot three - Independent Members and Opposition Parties with fewer than 2 members and
 - Lot four - the Administration;
- Questions will be put into each lot, by list, in the order received by the Chief Executive, unless all Members of the relevant group have given prior written agreement to the Chief Executive, that the order in which questions are listed in the lot for allocation can be specified by the leader of that group.
- Questions will be allocated to the agenda in turn from each lot list.
- The process proceeds until all questions have been allocated to the agenda.

(d) that clause 14.4 of Standing Orders be amended as follows:-

(i) the words "with contextual preamble" will be inserted between the words "question" and "tabled" where they occur on the first and second lines thereof.

(ii) the word "further" shall be inserted between the words "No" and "preamble" where they occur on the second line thereof.

(iii) the words “with contextual preamble” shall be inserted between the words “question” and “arising” where they occur on the sixth line thereof

(iv) the words “use best endeavours to” will be inserted between the words “will” and “arrange” where they occur on the penultimate line thereof.

(v) the words “within 24 hours from the 10am deadline.” shall be added after the word “provided” where it occurs on the last line thereof.

(e) that clause 14.7 of Standing Orders be amended as follows:- with regard to the rule contained in the third bullet point thereof, the words “unless it is seeking a progress update on a previous answer given” shall be added after the word “months” where it occurs on the last line thereof.

(f) that clause 15.2 of Standing Orders be amended as follows:- the words “For amendments proposed in relation to motions lodged under Standing Order 15.1, notice of amendment from the proposer and seconder must be emailed to the Chief Executive not later than 2pm on the Monday prior to the Council meeting and after having been checked for competency, will be circulated to Members in advance of the meeting.” where they occur on the fourth to eighth lines thereof shall be deleted.

(g) that clause 15.4 of Standing Orders be amended as follows:- with regard to the rule contained in the eighth bullet point thereof, the words “and agreement” where they occur on the penultimate line thereof shall be deleted.

(h) that clauses 6.5, 19.5, 23.1 and 25.1(i) of Standing Orders be amended as follows:- the words “two thirds” where they occur within said clauses shall be deleted and the words “a majority” substituted therefor.”

17 Notice of Motion to Amend Standing Orders

Submit a Notice of Motion in terms of Standing Order 24:

(1) a Notice that a Motion by Councillor Marshall, seconded by Councillor T. Ferguson, will be submitted to the next ordinary meeting of the Council in the following terms:

That clause 3.4 of Standing Orders be amended as follows:- the words “at least nine Members of the Council” where they occur on line 3 are deleted and the words “at least seventeen Members of the Council” substituted therefor

18 Motions

In terms of Standing Order 15, submit:-

(1) a motion by Councillor McDonald, seconded by Councillor Kerr, in the following terms:

“The decision of workers to withdraw their labour is a fundamental democratic right. With workers across many sectors and industries currently taking industrial action to protect themselves from the cost-of-living crisis, the Conservative Government is attacking the unequivocal right to strike, forcing them to work against their will with their latest anti-trade union legislation.

North Ayrshire Council respects the legal right of all workers taking industrial action to defend jobs, protect their terms and conditions and for a fair wage rise. North Ayrshire Council opposes the Tories’ anti-strike legislation and asks the Chief Executive to write to:

- (a) the Secretary of State for Business, Energy and Industrial Strategy to state the Council’s opposition to their ‘The Strikes (Minimum Service Levels) Bill’; and
- (b) the General Secretary of the STUC to express North Ayrshire Councillors’ support for the existing legal right to strike for fair pay, jobs and conditions.”

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

“The revenue budget performance paper at January’s Cabinet meeting reported “underspends in employee costs as a result of the teachers industrial action” of £278,000 to date with further reductions if industrial action continues.

This is money allocated by the Council towards teachers and their education of North Ayrshire school pupils and therefore Council agrees that any underspend relating to teachers taking industrial action should be earmarked for alternative investment in teachers’ health and wellbeing. If the earmarking of funds creates an overall overspend of the Council budget at 31st March 2023 then the balance of overspend should be met from the Council’s unearmarked reserves

Council agrees to work with the teaching unions to develop proposals for a teacher’s health and wellbeing programme funded by cost reductions related to teachers’ industrial action.”

19 Urgent Items

Any other items which the Provost considers to be urgent.

Webcasting

Please note: this meeting may be filmed/recorded/live-streamed to the Council's internet site and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>, where it will be capable of repeated viewing. At the start of the meeting, the Provost/Chair will confirm if all or part of the meeting is being filmed/recorded/live-streamed.

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Generally, the press and public seating areas will not be filmed. However, by entering the Council Chambers, using the press or public seating area or (by invitation) participating remotely in this meeting, 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 do not wish to participate in a recording, you should leave the meeting. This will constitute your revocation of consent.

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 dataprotectionofficer@north-ayrshire.gov.uk.

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John Bell
Timothy Billings
Marie Burns
Eleanor Collier
Joe Cullinane
Scott Davidson
Anthea Dickson
Stewart Ferguson
Todd Ferguson
Robert Foster
Scott Gallacher
John Glover
Tony Gurney
Alan Hill
Cameron Inglis
Margaret Johnson
Amanda Kerr
Christina Larsen
Shaun Macaulay
Jean McClung
Nairn McDonald
Matthew McLean
Louise McPhater
Davina McTiernan
Tom Marshall
Jim Montgomerie
Ian Murdoch
Donald Reid
Donald L Reid
Chloe Robertson
Ronnie Stalker
Angela Stephen
John Sweeney

Chair:

Apologies:

Attending:

North Ayrshire Council
14 December 2022

At a Meeting of North Ayrshire Council at 2.00 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

Present (Physical Participation)

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

Present (Remote Electronic Participation)

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

In Attendance

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

Apology

Scott Gallacher.

Chair

Provost Dickson in the Chair.

1. Provost's Remarks

The Provost welcomed those present to the meeting and dealt with preliminary matters, including intimation that the meeting, which was taking place on a hybrid basis, would be live streamed to the internet.

2. Apologies

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

3. Declarations of Interest

There were no declarations of interest in terms of Standing Order 11 and Section 5 of the Councillors' Code of Conduct.

There were no declarations of the Party Whip.

4. Previous Minutes

The accuracy of the Minutes of the Meeting held on 2 November 2022 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 24 October - 4 December 2022.

The Provost referred to two events omitted from her written report, namely the opening of Harper House in Stevenston on 21 November 2022 and attendance at the Ayrshire Division Police Awards for 2022 in Ayr Town Hall.

The Provost then highlighted the following elements of her written report:

- attendance at the opening of four Developing Young Workforce projects: two in Lockhart Campus, one with Justice Services and one in Garnock Community Campus; and
- praise for the ongoing work of the North Ayrshire Violence Against Women and Girls partnership, which recently led an active 16 Days of Activism programme

Provost also took the opportunity to extend her best wishes for a very happy Christmas and peaceful New Year.

6. Leader's Report

Submitted report by the Leader of the Council for the period from 24 October-4 December 2022.

The Leader offered her very good wishes for the festive period.

Noted.

7. Council Minute Volume

Submitted for noting and for approval of recommendations contained therein, the Minutes of meetings of committees of the Council held in the period 10 June - 29 November 2022.

Noted.

8. Congratulatory Motion

In terms of Standing Order 15.3, the undernoted motion, proposed by Councillor Gurney and seconded by Councillor McClung, was submitted:

"Council congratulates Ardrossan Winton Rovers Under 14 Girls football team in their recent success in winning the Erin Cuthbert SW Region U14s league.

Council also notes that in doing so they remained undefeated for the whole season and commends both their success and their application. Achievements like this do not come easily, and this team turns up to train twice a week in all weathers as well as playing their games at the weekend.

Council recognises these girls as exceptional ambassadors for the women's game, their sport, Ardrossan Winton Rovers, and the local area."

There being no dissent, the motion was declared carried.

The Provost took the opportunity to add her own congratulations to the Ardrossan Winton Rovers under 14s Girls Football Team on their recent league winning success, referring to the team as excellent ambassadors for women's football and for the youth of North Ayrshire.

9. Appointment to Committee

The Council was invited to note the nomination of Councillor Burns to serve on the new Skills Investment Fund Sub-Committee of the Ayrshire Regional Economic Joint Committee, as one of the Council's current representatives on the joint committee.

Noted.

10. Review of Accounting Arrangements for PFI and Similar Contracts

Submitted report by the Head of Finance on proposals to revise the current methodology used to determine the statutory repayment of debt charged to the General Fund in relation to the Council's service concession contracts. Appendix 1 to the report highlighted the current arrangements for charging the debt repayment element to the General Fund and illustrated the application of the financial flexibility.

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

- the retention of flexibility with regard to the future use of funding; and
- the scope of the report's recommendations, in terms of adopting revised financial arrangements, rather than determining the use of funding.

Councillor Larsen, seconded by Councillor Burns, moved approval of the recommendations set out in the officer's report.

As an amendment, Councillor Foster, seconded by Councillor Sweeney, moved as follows:

"This is a significant decision that will defer the cost of private finance initiatives (both PPP and NPD) onto future generations (for example £6.672million in 2056/57). Council, therefore, instructs officers to organise an all-Member briefing to fully understand the decision to be made and the potential implications of it. Thereafter, the paper shall return to a future meeting of the full Council for decision."

Members asked a question of clarification in respect of the amendment, the response to which confirmed that postponing consideration of the report to the next meeting of the Council would not adversely impact the Council's budget preparations.

In terms of Standing Order 16.5, Councillor Larsen, with the agreement of her seconder, agreed to withdraw her motion in favour of the amendment, which then became the substantive motion. There being no further amendments, the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) that officers organise an all-Member briefing to fully understand the decision to be made and the potential implications of it; and
- (b) thereafter, the report be submitted to the meeting of the full Council on 15 February 2023 for decision.

11. Douglas Park: Proposals for Future Use of Tennis Court Area

Submitted report by the Executive Director (Communities and Education) on proposals relating to the Tennis Court area of Douglas Park, Largs, the outcome of recent public engagement, and a recommendation to progress alienation of the area from Largs Common Good with the purpose of leasing the area to Largs Tennis Club. A layout plan was attached at Appendix 1 to the report.

In response to a point of order by Councillor Marshall, the Provost confirmed that she would ensure adherence to the five-minute time period for speaking to a motion or amendment, as provided for in Standing Order 16.1.

Councillor Hill, seconded by Councillor Collier, moved approval of the recommendations set out in the report, subject to the following changes:

“Council agrees to progress both Option 1 and on a restricted basis Option 2 and that the paper should be amended to provide for the proposed leasing of the existing tennis courts at Douglas Park as follows:

- 3 tennis courts (Area 2 on the plan) to Largs Tennis Club, and
- 4 tennis courts (Area 1 on the plan) to the Community Growing Project.”

Councillor Marshall, seconded by Councillor Todd Ferguson, moved approval of the recommendations set out in the officer’s report.

As a further amendment, Councillor Murdoch moved approval of the recommendations set out in the report, subject to the following changes:

“Council agrees to progress both Option 1 and on a restricted basis Option 2 and that the paper should be amended to provide for the proposed leasing of the existing tennis courts at Douglas Park as follows:

- 4 tennis courts (Area 2 on the plan) to Largs Tennis Club, and
- 3 tennis courts (Area 1 on the plan) to the Community Growing Project.”

Having failed to find a seconder, Councillor Murdoch’s motion fell.

Members asked questions of officers, in respect of the availability of funding for seven new tennis courts, the likely fees which would be apply to use of the courts by the public, and the financial viability of the Community Growing Project.

There followed debate and summing up.

On a division and a roll call vote, there voted for the amendment, Councillors Billings, S. Ferguson, T. Ferguson, Glover, Inglis, Marshall, McLean, Donald Reid, Stalker and Stephen (10) and for the motion, Councillors Bell, Burns, Collier, Cullinane, Davison, Dickson, Foster, Gurney, Hill, Johnson, Kerr, Larsen, Macaulay, McClung, McDonald, McPhater, McTiernan, Montgomerie, Murdoch and Robertson (20), Councillor Donald L. Reid and Sweeney abstaining, and the motion was declared carried.

Accordingly, the Council, having considered the proposals regarding the future use of the Tennis Courts at Douglas Park, Largs, agreed as follows:

- (a) to note the outcome of the public engagement regarding the proposed future use of the Tennis Courts at Douglas Park, Largs;

- (b) to authorise officers to progress alienation of the area from the Largs Common Good by progressing the leasing of the existing Tennis Courts at Douglas Park as follows:
 - (i) 3 tennis courts (Area 2 on the plan) to Largs Tennis Club, and
 - (ii) 4 tennis courts (Area 1 on the plan) to the Community Growing Project.
- (c) to refer the business applicants (Largs Dog Park and the Pooch Pad) to the Council's Business Development team to progress commercial options; and
- (d) that the Council's costs for the legal process in relation to the Common Good be met from the Council's existing Community Asset Transfer Start Up Fund.

12. Questions

In terms of Standing Order 14, submitted:

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

"To ask the Cabinet portfolio holder for Education how many primary and secondary school children in North Ayrshire have received a free laptop or tablet as per the SNP election promises made in May 2021?"

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

"In the academic session 2021-22, North Ayrshire Council distributed 1000 Chromebook laptops to pupils across all schools who needed them most in P5 and S2. The methodology for calculating the distribution model began with an analysis of indicators of personal deprivation, including Footwear and Clothing grants and free school meals, and was refined at school level to ensure that everyone in these year stages who needed a device was able to receive one. These devices enable children and young people to access digital learning at home (a stock of connectivity devices is also available for anyone who does not have wi-fi at home).

The exercise has been repeated for session 2022-23 and again 1000 Chromebook laptops have been ordered for this year's P5 and S2 cohorts and will be ready for distribution after the Christmas holidays"

On a point of order in terms of Standing Order 14.11, Councillor Foster queried the accuracy of the Cabinet Member's response, on the basis that the Chromebooks may have been provided through the Council's Cost of the School Day Fund and not by the Scottish Government.

Councillor Macaulay undertook to clarify the position with regard to the funding of devices.

As a supplementary question, Councillor T. Ferguson referred to a Freedom of Information response in August 2022 which indicated that the Council had yet to receive any digital devices in terms of the Scottish Government policy promise, whilst it appeared that other Councils had received significant numbers. Councillor Ferguson asked what the Cabinet Member planned to do to ensure a quicker delivery of devices under this scheme, to avoid young people in North Ayrshire being disadvantaged.

Councillor Macaulay responded by advising that the Scottish Government was undertaking a review and engaging with Councils to establish what support was already in place for young people. The Cabinet Member confirmed that, in the meantime, any young person requiring a device could have one made available to them.

On a point of Order in terms of Standing Order 14.11, Councillor Foster queried the accuracy of the Cabinet Member's response to the supplementary question.

Councillor Macaulay confirmed that any young person needing a device should get in touch with the Service to arrange it.

(2) a question by Councillor D. Reid to the Cabinet Member for Place in the following terms:

"To ask the Cabinet Member for an update on the delivery of the 2022/23 roads, structures and street lighting maintenance programme."

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

"The Roads, Structures and Street Lighting Maintenance Programme for 2022/23 is progressing well.

The carriageway maintenance investment programme is nearing completion. Of our carriageway resurfacing projects 96% of the works are complete, with works currently ongoing in Milton Quadrant and High Street Kilbirnie. Bathville/Parkview/Pundeavon Avenue/Lynne Drive, Kilbirnie and Gigha Terrace/Gigha Wynd, Irvine are outstanding and will be completed before the end of March 2023. Carriageway resurfacing in Stanley Road and Galloway Place, Saltcoats has had to be rescheduled into 23/24 to enable an assessment of the existing drainage infrastructure following a flood event in September this year. Our footway resurfacing programme is underway and all remaining works are programmed for completion by 31 March 2023.

Structures are well on target to spend the approximate £1m budget allocated for 22/23. Works are about 75% complete and the full budget allocation will be expended by the financial year end.

Likewise, the Street Lighting Capital Programme is currently on schedule to spend all of the £1.58m Physical Infrastructure Renewal Investment and the £490k lantern energy efficiency allocated through the NAC Investment Fund by the end of March 2023.”

As a supplementary question, Councillor D. Reid asked what rising costs would mean for future investment in, and condition scoring of, North Ayrshire roads.

Councillor Davidson responded by giving examples of significant rises in costs associated with roads and lighting works and advising that these would require to be factored into the programme for 2023/24, which would be presented to Cabinet in February/March 2023.

(3) a question by Councillor Johnson to the Leader of the Council in the following terms:

“Does the Leader agree with me that the leaking of confidential papers shows a complete lack of integrity and respect towards all North Ayrshire Council staff, fellow Elected Members and the voting public?”

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

“Yes, I absolutely agree with her. Not only is it disrespectful, but it undermines the trust needed between Members and officers to work together for the benefit of our residents and our communities. I have seen this happen in other councils, but never in the ten years that I have been a councillor has it happened in North Ayrshire. I don’t really know what leaking this information was meant to achieve, but we now have staff heading into Christmas worried about their jobs. That’s despicable. And I don’t know how whoever leaked what is only a discussion at this stage – the same discussion with potential options that we have every year – can look at themselves in the mirror. I would remind anyone watching this that no decisions will be made on the budget until 1 March 2023 and, when they are made, all options will be discussed and the final decision will be made by all Members in this Chamber.”

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

“To ask the Cabinet Member for Place if they could update the Council on the action that will be taken to fix the recently vandalised toilets at the Braes in Saltcoats.”

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

“The Public Conveniences (PCs) at the Braes suffered some recent fire damage through vandalism. The fire damage this time was limited. The FM team provided a deep clean of the affected area and noted that some remedial painting would be required to bring the site up to a reasonable standard. The FM team sourced the required painting materials and carried out the work as quickly as possible. The PCs were then reopened to the public on Friday 2 December.

Unfortunately, the site was again targeted with antisocial behaviour within 48 hours of reopening. By Sunday 4 December, the site had all toilet roll and soap dispensers kicked off the walls, the disabled bin emptied into the street outside with the addition of graffiti to the walls. The FM team have cleaned all possible areas and requested that replacement dispensers be fitted again as soon as possible.”

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

“To ask the Cabinet Member what prelims were set to take place on Wednesday 7 December 2022?”

Councillor Macaulay thanked the Member for his question and referred to the following written response:

“On Wednesday 7 December, Arran High School was open to all pupils, Auchenhavie Academy and Largs Academy were open to S5/6 pupils enabling any planned prelims to take place in these schools.

Whilst Garnock Community Campus (secondary), Irvine Royal Academy, Kilwinning Academy and St Matthew’s Academy were closed to pupils on Wednesday 7 December, no prelims were affected.

Prelims were planned at Ardrossan Academy and Greenwood Academy as follows:
Ardrossan Academy:

- National 5 and Higher Music (practical)
- National 5 Cookery (practical)

Greenwood Academy:

National 5 Music Technology
National 5 Sociology
National 5 Chemistry

In both of these schools, arrangements have been made to reschedule these exams for another date.”

As a supplementary question, Councillor Sweeney referred to an Elected Member briefing by the Head of Service (Education) which advised that only Largs Academy would remain open for prelims and all mainland secondary schools would be closed on the day of the strike, and asked for an explanation for the difference in some schools’ arrangements for prelims.

Councillor Macaulay responded by advising that, at the point the briefing was provided, the position was as presented to Members. The Cabinet Member reported that it subsequently became possible to open a further school and it was decided to open Arran High School as it was safe to do so. Councillor Macaulay offered his apologies for the late notice to Members during what had been a fast-paced decision-making process.

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

“The National Improvement Framework interactive Evidence Report Statistics for Local Authorities published in 22 November 2022 recorded the percentage of combined P1, P4 and P7 pupils achieving the expected grade in Curriculum for Excellence (CfE) combined.

For North Ayrshire the numeracy levels recorded in 2018-19 was 79.4% and in 2020-21 was 67.4%. A drop of 12 points or 15%.

Given that this now means that fully one third of these pupils are failing to achieve the expected grade in Numeracy in CfE what plans do the Administration have to rectify these unacceptable figures?”

Councillor Macaulay thanked the Member for his question, having made reference to the impact of the pandemic throughout Scotland and the subsequent slight recovery of 8 percentage points in one year, advised that further targeted improvement would be closely monitored by Cabinet. The Cabinet Member then referred to the following written response:

“Nationally published attainment statistics in numeracy for North Ayrshire Council primary aged pupils declined in 2020-21 (during the pandemic). Prior to this North Ayrshire learners performed better than the national cohort in terms of the percentage who achieved the expected Curriculum for Excellence level in primary numeracy.

It is widely accepted that the pandemic had a significant impact on pupil learning, and even more so in the areas of highest disadvantage across Scotland. As a result, attainment levels declined in North Ayrshire (as they did across Scotland) in 2020-21 in primary numeracy. Locally, Head Teachers have identified the principal reasons for this as a high level of interrupted learning, pupil and staff absence and periods of national lockdown as a direct result of the pandemic.

In its attainment report in June 2022, the Education Service confirmed it had introduced additional interventions in numeracy throughout session 2021-22, with significant efforts in every school to recover from the impact the pandemic has had on attainment. On 27 September 2022, it was reported to Cabinet through the “Education Service Standards and Quality Report 2021-22,” that numeracy attainment for session 2021-22 had increased to 75%, a recovery of 8 percentage points in one year.

This year’s Education Service Improvement Plan seeks to improve outcomes further through high quality learning, teaching and assessment and, importantly, the development of a new three-year raising attainment strategy. Based on an analysis of attainment so far this year, the Education Service currently projects that the primary numeracy attainment figure will continue to recover this year, rising to 77% for session 2022-23, although this figure will continue to be refined in the coming months prior to the final submission of attainment data in June 2023.”

As a supplementary question, Councillor Marshall referred to the increase in the poverty-related attainment gap between 2018 and 2021 and asked what the Cabinet Member intended to do to address it.

Councillor Macaulay responded by expressing his frustration at the increase in the poverty-related attainment gap and his view that decisions made by the UK Government, together with the pandemic, had had a significant impact on teaching staff and learning. The Cabinet Member referred to the report to Cabinet, which showed a rise in attainment following a dip during the pandemic, and indicated that there were improvement plans in place to increase that further.

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

“To ask the Cabinet Member how much individual schools have used of their devolved budgets to pay off school meal debt to the Council?”

Councillor Macaulay thanked the Member for his question and referred to the following written response:

“In secondary schools, debt has been absorbed either through core school budgets, the school fund or PEF budgets in the following amounts over the last 5 years (or as far back as records are available), totalling approximately £12,400.

School	How much school meal debt has been absorbed by the school in last 5 years*	Number of years given if not 5 years
Ardrossan Academy	£2349.48	3 years
Arran High School	£0.00	1 year
Auchenharvie Academy	£929.70	2 years
Garnock Secondary	£1,012.70	4 years
Greenwood Academy	£198.00	2 years
Irvine Royal Academy	£5,635.00	2 years
Kilwinning Academy	£924.40	2 years
Largs Academy	£1,598.00	2 years
St Matthews Academy	£2,080.00	5 years
TOTAL	£12,377.80	

As a supplementary question, Councillor Foster asked whether the Cabinet Member would commit to ending this practice and allow schools to spend their devolved budgets on children's education.

On a point of order, the Monitoring Officer provided advice on the competence of the supplementary question in terms of Standing Order 14.7, in terms of questions which were the same as, or similar to, a question asked at Council in the previous six months. Having established that the matter had previously related to a motion rather than a question, the supplementary question was allowed.

Councillor Macaulay responded by reiterating that the Council did not pursue school meals debt and advised that this allowed an opportunity for officers to offer support to families who were struggling. The Cabinet Member expressed the view that, more generally, work should be done to consider the ways in which residents were in debt to the Council and the range of supports that could be offered to them.

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

“Given the future funding constraints placed on the Authority, can the Cabinet Member for Finance indicate (i) areas where they believe the council should cut back on, in order to balance the budget; (ii) if their administration will take any steps to pay back any debts that the authority has, over and above the interest rate?”

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

“(i) Balancing the budget is the responsibility of all Elected Members in the Chambers and, as we have not yet received the budget settlement, it would be presumptuous of me to comment on any budget proposals at this time.

(ii) Borrowing activity is incorporated in the Council’s Treasury Management and Investment Strategy which is presented to Council each year. Within this strategy the Council’s borrowing is measured against a number of prudential and treasury indicators to consider the affordability and impact of capital expenditure decisions. These indicators help the Council to demonstrate public accountability in relation to borrowing and investments. Within the context of this Strategy, the Council manages the Loans Fund in accordance with statutory regulations and maintains a range of debt arrangements, including maturity loans, equal instalment loans and temporary loans, all of which are repaid in accordance with their specific terms and conditions.”

(9) a question by Councillor Bell to the Cabinet Member for Finance in the following terms:

“Does the Cabinet Member agree with Council Directors of Finance, including our own Head of Service, who have written a joint letter to the Deputy First Minister stating that the financial pressures faced by Scottish Local Government are “unprecedented”, that the choices we face “come down to reducing services.....and reducing the number of jobs”, and unless “funding for Local Government is fair, sustainable and flexible”, “there is not a path to delivering balanced budgets”?”

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

“I absolutely agree that we are living in unprecedented times, but that isn’t limited to just Scotland, it includes the rest of the UK and further afield. In terms of any choices we face, the Scottish budget for 2023/24 will be announced tomorrow, so it would be completely inappropriate for me to speculate on what the outcome of that would be.”

As a supplementary question, Councillor Bell asked whether the Administration was willing to seek to influence the Scottish Government to put the interests of the people of Scotland ahead of its own pet projects, which would mean concentrating on adequate pay rises for public sector workers and public infrastructure projects, rather than matters such as seeking to hold a referendum.

Councillor Larsen responded by indicating that public sector workers had said they were not intending to strike. Thereafter, the Cabinet Member referred to the financial settlement, which was due the following day and asserted that, whilst she could not discuss the specifics of that, it would prove that the SNP did think of the people of Scotland and not only themselves.

In terms of Standing Order 6.8, the Provost agreed that the meeting be adjourned at 3.30 p.m. for a short comfort break. The meeting reconvened at 3.40 p.m. with the same Members and officers present and in attendance (as previously by remote electronic means or in person).

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

“Can the Cabinet Member Education tell me what specific programme(s) exist in North Ayrshire in order support children who are academically gifted, and if none exist, if they intend to create one?”

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

“The remit of the education service is to meet the needs of all pupils and Curriculum for Excellence allows for planning at pace and with challenge.

There are currently no specific authority-wide programmes to support the most able learners in North Ayrshire. Nevertheless, we have invested in ensuring that we continue to develop a very highly skilled teaching workforce through, for example, our Professional Learning Academy. Our teachers are adept at differentiating the learning to ensure that pupils can progress at an appropriate level of pace, depth and challenge. We aim to ensure there is no ceiling on learning and our evidence shows a broad trend of improvement over time in learner outcomes across the wide range of abilities of our learners across North Ayrshire. Whilst there is always room for further improvement, there are no current plans to focus on the most able alone. Rather, our focus will continue to be on raising attainment across the board, at the same time as reducing the gap between the attainment outcomes of the most and least disadvantaged learners.”

As a supplementary question, Councillor McLean asked whether the Cabinet Member thought it was acceptable that the Curriculum for Excellence, as implemented in North Ayrshire, had no specific provision for academically excellent children.

Councillor Macaulay responded by referring to his written answer, which indicated that the Council focussed on supporting all young people to achieve the best outcomes they could. The Cabinet Member advised that this included those at the very highest end of academic achievement as well as those with additional barriers to their learning.

(11) a question by Councillor McDonald to the Cabinet Member for Health and Social Care in the following terms:

“To ask the Cabinet Member how many Carers Assessments have been conducted in the last year and how many (as a %) have been conducted within the 1-year period set out in the Carers Act”

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

“In the 2021-22 year there were a total of 52 Adult and 55 Young Carers Assessments undertaken. There are no prescribed timescales to complete an Adult Carer Support Plan or Young Carer Statement unless the cared for individual is diagnosed with a terminal illness, in which case there are directed timescales for the offer and completion of a Carers Assessment. Assessments should be completed within a reasonable timeframe in line with carers’ individual set of circumstances, assessments are completed in a timely manner from the acceptance of the offer or at the point of request, there is no waiting list in North Ayrshire for a carers assessment to be completed.”

As a supplementary question, Councillor McDonald referred to reviews of carer assessments which, as a matter of good practice, should take place within a year and indicated that the low number of reviews in North Ayrshire was leading to carers feeling let down. Councillor McDonald asked if the Cabinet Member would work with him and with carer groups to ensure that the Carers Development budget, currently underspent by approximately £1m, was put to use in supporting carers.

Councillor Johnson responded by indicating a willingness to work with the Member.

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

“The BBC recently reported on house prices and rents throughout Scotland, in this report it was found that the Ayrshires collectively were the only place where prices and rents contracted, every other area had an increase. Why does the Member think that Ayrshire is considered less desirable than the rest of Scotland?”

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

“I assume the Member is referring to the BBC article “What’s Next for Scotland’s Housing Market?”, which was published on 19 October 2022. It’s probably pertinent for me to point out there have also been very positive articles and publications in recent months about Ayrshire being a most desirable place to live. My answer, in short, to the original question is “no, I don’t consider Ayrshire to be any less desirable than the rest of Scotland” and, for anyone thinking of moving to Ayrshire, I’d highly recommend they do so.”

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

“To ask the Leader of the Council if the Ardrossan Ministerial Task Force has met again since its meeting on 28 June 2022”

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

“There has not been a meeting of the task force since June 2022, the minutes of which have now been published by Transport Scotland. The next Ministerial Task Force meeting is due on the 24 of January 2023.”

As a supplementary question, Councillor Kerr expressed concern at the lack of meetings and asked the Leader whether she could use her influence as co-chair of the task force to ensure regular meetings and whether Councillor Burns would also consider requesting a visit to the Ferguson Marine yard for local Elected Members.

On a point of order in terms of Standing Order 14.4, the Provost commented on the relevance of the supplementary question to the response to the original question. At the Provost’s discretion, and with the agreement of the Leader, the supplementary question was, however, allowed.

Councillor Burns responded by providing an assurance that progress was being pursued by both officers and herself, although it should be noted that, like all capital projects at present, this project was experiencing inflationary pressures. The Leader advised that, given her experience, she would not benefit personally from a visit to the yard, but that, if local Members wished to request a visit, they did not require her permission to do so.

(14) a question by Councillor McLean to the Leader of the Council in the following terms:

“Does the Leader of the Council believe that Scotland is a colony of England, and that comparisons can be made between Scotland and Kosovo as the Scottish Government attempted in the Supreme Court earlier this month?”

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

“I have to say I’m disappointed that, yet again, the Tories are back to talking about the constitution. Councillor McLean’s party has said we shouldn’t be talking about the constitution in Westminster; we shouldn’t be talking about the constitution in Holyrood; and yet now he wants to talk about the constitution in the Chamber of North Ayrshire Council.

I believe my personal opinion on legal arguments used in a recent court case are irrelevant to my role as Leader of this Council. However, if Councillor McLean wants to know my personal views on the constitution, I’d be happy to have a conversation with him at any time.”

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

“To ask the Cabinet Member when the Council last met Scottish Futures Trust to discuss the Ardrossan Campus project?”

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

“The most recent meeting was on 12 December 2022.”

As a supplementary question, Councillor Kerr expressed concern about the detrimental impact of delays to the campus project and asked for reassurance that Scottish Futures Trust would make a commitment to contribute to the rising costs associated with the project.

Councillor Macaulay responded by undertaking to liaise with the Executive Director (Communities and Education) and, as appropriate, share with the Elected Member any available information on arrangements for the funding of Ardrossan Campus. In the meantime, the Cabinet Member reiterated his assurance that the campus remained the top priority in terms of capital projects.

13. Motions

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

In terms of Standing Order 15, submitted:

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

“North Ayrshire Council has a proud record of tackling hunger in our communities through initiatives like the Fairer Food Network and Wrap, Run and Fun. Council notes that a pre-pandemic Cabinet decision to implement an action plan to ensure all children in North Ayrshire will have access to a nutritious meal every day has not yet been delivered upon with our current initiatives not providing direct support to young people on free school meals at weekends. Council, therefore, instructs officers bring a report to Cabinet outlining options for weekend food provision.”

As an amendment, Councillor Macaulay, seconded by Councillor Larsen, moved as follows:

"North Ayrshire Council has a proud record of tackling hunger in our communities through initiatives like the Fairer Food Network and Wrap, Run and Fun. Council notes that all Members are part of budget deliberations and any Member or group can bring forward fully-costed initiatives during this process."

Members asked questions of clarification of the mover of the motion.

On a point of order in terms of Standing Order 15.4, Councillor Burns sought, and received, clarification from the Chief Executive with regard to the availability of the necessary officer resources.

There followed debate and summing up.

On a division and a roll call vote, there voted for the amendment, Councillors Billings, Burns, Collier, Davidson, Dickson, S. Ferguson, T. Ferguson, Glover, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, Marshall, McClung, McLean, McTiernan, Murdoch, Robertson, Stalker and Stephen (22), and for the motion, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (9), Councillor Donald L. Reid abstaining, and the amendment was declared carried.

Accordingly, the Council agreed to note that all Members were part of budget deliberations and any Member or group could bring forward fully-costed initiatives during this process.

(2) a motion proposed by Councillor Foster and seconded by Councillor McDonald in the following terms:

"In line with our commitment to The Promise, Council agrees that an EIA be undertaken with immediate effect to take forward ending the practice of excluding care-experienced children from school and, subject to the findings of that assessment and relevant considerations, implement the necessary amendments to policy."

As an amendment, Councillor Macaulay, seconded by Councillor Johnson, moved as follows:

"In line with our commitment to The Promise, Council agrees that all staff remain committed to reducing exclusions, and the causes of exclusions particularly of care experienced young people. We remain committed to supporting care-experienced young people in a trauma informed, nurturing way that allows positive relationships to develop across the school community."

Members asked questions of clarification of the mover of the motion. A question on the availability of evidence to support the action proposed by the motion, was not permitted by the Provost on the grounds that it did not constitute a question of clarification.

There followed debate and summing up.

On a division and a roll call vote, there voted for the amendment, Councillors Billings, Burns, Collier, Davidson, Dickson, S. Ferguson, T. Ferguson, Glover, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, Marshall, McClung, McLean, McTiernan, Murdoch, Robertson, Stalker and Stephen (22), and for the motion, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (9), Councillor Donald L. Reid abstaining, and the amendment was declared carried.

Accordingly, the Council agreed that all staff remained committed to (i) reducing exclusions and the causes of exclusions (particularly of care-experienced young people) and (ii) supporting care-experienced young people in a trauma informed, nurturing way that allowed positive relationships to develop across the school community.

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

(3) a motion proposed by Councillor McLean and seconded by Councillor S. Ferguson in the following terms:

"I move that North Ayrshire Council writes to The Rt. Hon. Michael Gove, Secretary of State for Levelling Up, Housing and Communities & Kate Forbes/John Swinney MSP Cabinet Secretary for Finance and the Economy to register interest and ask for backing for North Ayrshire to become Scotland's first Investment Zone, a scheme announced in recent budgets."

As an amendment, Councillor Gurney, seconded by Councillor Robertson, moved the direct negative.

As a further amendment, Councillor Foster, seconded by Councillor McPhater, moved as follows:

"Investment Zones will displace economic activity rather than generate new economic investment whilst offering a race to the bottom on tax, labour standards and the environment. North Ayrshire Council has opposed Freeports and Greenports for the same reason, as has the Ayrshire Economic Joint Committee.

Tory initiatives such as Investment Zones and Freeports are in direct contradiction to this Council's Community Wealth Building strategy. They would see the economic and social benefits of economic activity extracted from the local and regional economy rather than locking them in for the benefit of our communities and residents.

North Ayrshire Council therefore agrees to reject overtures for Investment Zones and reaffirms its commitment to an inclusive, fair and democratic economy through Community Wealth Building.”

Members asked a question of clarification of the mover of the first amendment.

There followed debate and summing up.

In terms of Standing Order 19.2, as there were two amendments, one of which involved the direct negative, Members were first invited to determine whether to “proceed” or “not proceed.”

On a division and a roll call vote, there voted to “proceed”, Councillors Bell, Billings, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie and Donald Reid (9), and “not proceed”, Councillors Burns, Collier, Davidson, Dickson, S. Ferguson, T. Ferguson, Glover, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, Marshall, McClung, McLean, McTiernan, Robertson, Stalker, Stephen and Sweeney (21), Councillor Murdoch abstaining, and the decision not to proceed was declared carried.

Accordingly, in terms of Standing Order 19.2, the decision not to proceed having been carried by a majority of votes, the motion and remaining amendment fell.

(4) a motion proposed by Councillor McLean and seconded by Councillor Inglis in the following terms:

"I move that North Ayrshire Council writes to First Minister Nicola Sturgeon MSP, Kate Forbes/John Swinney MSP Cabinet Member for Finance and the Economy and Shona Robison Cabinet Secretary for Social Justice, Housing and Local Government to ask for an increased financial settlement in order to stave off the looming harm to North Ayrshire’s budget and its impact on services.

Specifically, to ask:

- For the £20 million set aside in the Scottish Governments 2023-24 budget for a Constitutional Referendum be passported to North Ayrshire to eliminate current and ease future funding gaps.
- For a review of the budget for the office of Constitution, External Affairs & Culture given the Supreme Court ruling that Constitutional Affairs are a reserved matter
- For consideration for the estimated £1.5 Billion funding consequential from the new UK budget to be distributed to local government – given that this is extra funding and would have no detrimental impact on any Scottish Government aims or priorities.
- For consideration to be given for the £2b Scottish Government underspend to be distributed to local government."

On a point of order in terms of Standing Order 15.4, Councillor Gurney sought clarification as to competence of the motion in asking that correspondence be issued by “North Ayrshire Council”. The Monitoring Officer confirmed that the terms of the motion were capable of being implemented and that the Chief Executive could write on behalf of the Council in his capacity as Head of Paid Service.

As an amendment, Councillor Hill, seconded by Councillor Gurney, moved the direct negative.

As a further amendment, Councillor McDonald, seconded by Councillor Kerr, moved as follows:

“North Ayrshire Council has lost over £120million of funding since 2010 as a result of austerity, funding that could have been invested in jobs, public services, infrastructure improvements and economic development.

Council is concerned that the Conservative government has used the catastrophic economic impact of their mini-budget as an excuse to inflict a further round of austerity. North Ayrshire Council, and our residents, cannot suffer more cuts.

Council notes that cuts to the Scottish Local Government settlement have been disproportionate in comparison to the Scottish budget.

North Ayrshire Council therefore agrees to write to First Minister Nicola Sturgeon MSP, John Swinney MSP, and Shona Robison to ask that the Scottish Government use its resources and devolved powers to deliver an increased financial settlement in order to stave off the looming harm to North Ayrshire’s budget and its impact on services.”

In the absence of debate, there followed summing up.

In terms of Standing Order 19.2, as there were two amendments, one of which involved the direct negative, Members were first invited to determine whether to “proceed” or “not proceed.”

On a division and a roll call vote, there voted to “proceed”, Councillors Bell, Billings, Cullinane, S. Ferguson, T. Ferguson, Foster, Glover, Inglis, Kerr, Marshall, McDonald, McLean, McPhater, Montgomerie, Donald Reid, Stalker, Stephen and Sweeney (18), and “not proceed”, Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McClung, McTiernan and Robertson (12), Councillor Murdoch abstaining, and the decision to proceed was declared carried.

On a further division and a roll call vote, there voted for the remaining amendment, Councillors Bell, Burns, Collier, Cullinane, Davidson, Dickson, Foster, Gurney, Hill, Johnson, Kerr, Larsen, Macaulay, McClung, McDonald, McPhater, McTiernan, Montgomerie, Donald Reid, Robertson and Sweeney (21), and for the motion, Councillors Billings, S. Ferguson, T. Ferguson, Glover, Inglis, Marshall, McLean, Stalker and Stephen (9), Councillor Murdoch abstaining, and the amendment was declared carried.

Accordingly, the Council agreed to write to First Minister Nicola Sturgeon MSP, John Swinney MSP, and Shona Robison to ask that the Scottish Government use its resources and devolved powers to deliver an increased financial settlement in order to stave off the looming harm to North Ayrshire's budget and its impact on services.

14. Notice of motion to Amend Standing Orders

(1) a Notice of Motion, by Councillor Foster, seconded by Councillor McDonald, submitted in terms of Standing Order 24 to seek to amend Standing Orders:

"(a) that clause 14.1 of Standing Orders be amended as follows:- the words "The question as tabled should not include supplementary or contextual text." where they occur on the fourth to fifth lines thereof shall be deleted and the words "The question as tabled should only contain contextual information as preamble that is directly related and sufficient to facilitate understanding of the question." substituted therefor

(b) that clause 14.2 of Standing Orders be amended as follows:-

- (i) the number "45" where it occurs on the first line thereof shall be replaced with the number "60"
- (ii) the words "within one hour of the meeting ending" shall be inserted between the words "provided" and "included" where they occur on the last line thereof

(c) that clause 14.3 of Standing Orders is deleted and replaced with the following:

"The process for selecting the order of questions for the agenda is as follows:

- Questions received are divided into lots:
 - Lot one - main Opposition;
 - Lot two - second Opposition;
 - Lot three - Independent Members and Opposition Parties with fewer than 2 members and
 - Lot four - the Administration;

- Questions will be put into each lot, by list, in the order received by the Chief Executive, unless all Members of the relevant group have given prior written agreement to the Chief Executive, that the order in which questions are listed in the lot for allocation can be specified by the leader of that group.
 - Questions will be allocated to the agenda in turn from each lot list. • The process proceeds until all questions have been allocated to the agenda.
- (d) that clause 14.4 of Standing Orders be amended as follows:-
- (i) the words “with contextual preamble” will be inserted between the words “question” and “tabled” where they occur on the first and second lines thereof.
 - (ii) the word “further” shall be inserted between the words “No” and “preamble” where they occur on the second line thereof.
 - (iii) the words “with contextual preamble” shall be inserted between the words “question” and “arising” where they occur on the sixth line thereof
 - (iv) the words “use best endeavours to” will be inserted between the words “will” and “arrange” where they occur on the penultimate line thereof.
 - (v) the words “within 24 hours from the 10am deadline.” shall be added after the word “provided” where it occurs on the last line thereof.
- (e) that clause 14.7 of Standing Orders be amended as follows:- with regard to the rule contained in the third bullet point thereof, the words “unless it is seeking a progress update on a previous answer given” shall be added after the word “months” where it occurs on the last line thereof.
- (f) that clause 15.2 of Standing Orders be amended as follows:- the words “For amendments proposed in relation to motions lodged under Standing Order 15.1, notice of amendment from the proposer and seconder must be emailed to the Chief Executive not later than 2pm on the Monday prior to the Council meeting and after having been checked for competency, will be circulated to Members in advance of the meeting” where they occur on the fourth to eighth lines thereof shall be deleted.
- (g) that clause 15.4 of Standing Orders be amended as follows:- with regard to the rule contained in the eighth bullet point thereof, the words “and agreement” where they occur on the penultimate line thereof shall be deleted.
- (h) that clauses 6.5, 19.5, 23.1 and 25.1(i) of Standing Orders be amended as follows:- the words “two thirds” where they occur within said clauses shall be deleted and the words “a majority” substituted therefor.”

The Council agreed to note that this motion would be subject to consideration at the next ordinary meeting.

15. Urgent Items

There were no urgent items.

16. Provost's Closing Remarks

The Provost closed the meeting by thanking Members for their participation.

The meeting ended at 5.00 p.m.

North Ayrshire Council
14 December 2022

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

Present (Physical Participation)

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

Present (Remote Electronic Participation)

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

In Attendance

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

Apologies

Scott Gallacher and Donald L. Reid.

Chair

Provost Dickson in the Chair.

1. Provost's Remarks

The Provost welcomed those present to the Special Meeting of the Council, which had been called following a requisition in terms of Standing Order 3.4.

Thereafter, the Provost dealt with preliminary matters, including intimation that the meeting, which was taking place on a hybrid basis, would be live streamed to the internet.

2. Apologies

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

3. Declarations of Interest

There were no declarations of interest in terms of Standing Order 11 and Section 5 of the Councillors' Code of Conduct.

There were no declarations of the Party Whip.

Councillor Montgomerie joined the meeting at this point.

4. Motions

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

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

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

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

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

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

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

The Provost invited Councillor Larsen to move her amendment.

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

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

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

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

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

There followed debate and summing up.

In terms of Standing Order 19.2, as there were two amendments, one of which involved the direct negative, Members were first invited to determine whether to "proceed" or "not proceed"

On a division and a roll call vote, there voted to "proceed", Councillors Bell, Billings, Cullinane, S. Ferguson, T. Ferguson, Foster, Inglis, Kerr, Marshall, McDonald, McLean, McPhater, Montgomerie, Donald Reid, Stalker, Stephen and Sweeney (17), and "not proceed", Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McClung, McTiernan and Robertson (12), Councillor Murdoch abstaining, and the decision to proceed was declared carried.

On a further division and a roll call vote, there voted for the remaining amendment, Councillors Billings, Burns, Collier, Davidson, Dickson, S. Ferguson, T. Ferguson, Gurney, Hill, Inglis, Johnson, Larsen, Macaulay, Marshall, McClung, McLean, McTiernan, Robertson, Stalker and Stephen (20), and for the motion, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, Donald Reid and Sweeney (9), Councillor Murdoch abstaining, and the amendment was declared carried.

Accordingly, the Council agreed as follows:

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

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

5. Urgent Items

There were no urgent items.

6. Provost's Closing Remarks

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

The meeting ended at 5.35 p.m.

North Ayrshire Council
18 January 2023

At a Special Meeting of North Ayrshire Council at 1.00 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

Present (Physical Participation)

John Bell, Eleanor Collier, Joe Cullinane, Anthea Dickson, Stewart Ferguson, Robert Foster, Alan Hill, Tony Gurney, Cameron Inglis, Margaret Johnson, Jean McClung, Nairn McDonald, Matthew McLean, Ronnie Stalker and John Sweeney.

Present (Remote Electronic Participation)

Timothy Billings, Todd Ferguson, Scott Gallacher, John Glover, Amanda Kerr, Tom Marshall, Louise McPhater, Davina McTiernan, Jim Montgomerie, Donald Reid and Donald L. Reid.

In Attendance

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

Chair

Provost Dickson in the Chair.

Apologies

Councillors Marie Burns, Scott Davidson, Christina Larsen, Shaun Macaulay, Ian Murdoch, Chloé Robertson and Angela Stephen.

1. Provost's Remarks

The Provost welcomed those present to the Special Meeting of the Council, which had been called following a requisition in terms of Standing Order 3.4.

Thereafter, the Provost dealt with preliminary matters, including intimation that the meeting, which was taking place on a hybrid basis, would be live streamed to the internet.

2. Apologies

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

3. Declarations of Interest

There were no declarations of interest in terms of Standing Order 11 and Section 5 of the Councillors' Code of Conduct.

There were no declarations of the Party Whip.

4. Motions

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

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

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

“North Ayrshire Council expresses its extreme disappointment with the budget settlement for local government and with its presentation which the Labour Group believe is both unethical and dishonest and is in no way consistent with a partnership approach.

Council notes that most of the supposed £550m additional funding is for existing commitments and that the £71m of uncommitted funding goes no way towards meeting the identified budget gap in council funding of £612m due to inflation, energy prices and demand pressures, and the requirement for more than £400m likely to be needed for pay settlements in the coming year to address recruitment and retention issues and avoid understandable industrial action by trade unions.

This budget settlement means another massive real terms cut in councils' core funding, after more than 10 years of real terms cuts, and will lead to socially harmful cuts to vital local services and the loss of jobs within local authorities and from local companies that rely on councils for their employment.

Council further notes the additional burden on council finances from revaluation of non-domestic properties and condemns the threat by the Scottish Government to cut grant funding if councils were to be successful in appealing against redeterminations. For North Ayrshire Council, the initial assessment of the local government settlement by the Council's finance team estimates a budget gap of over £10million in 2023/24.

Council therefore agrees:

1. That the Council should make a robust public response to the budget statement, challenging in the strongest possible terms the presentation of the supposed £550m additional funding and highlighting the massive real terms cut in funding for vital local services;
2. That the CEO writes a letter to the First Minister and the Deputy First Minister on behalf of the Council that rejects that this is a fair settlement; highlighting the massive real terms cut to the council's funding and the impact this budget settlement will have on vital local services and demanding a fair settlement to defend vital local services and jobs;
3. That the Council undertakes an assessment of the likely job losses within the council and local economies that will result from this budget settlement; and
4. The Council agrees to offer a meeting of group leaders with the local government trade unions to set out our assessment of the impacts of this budget settlement and seek to undertake joint action to defend vital local services and jobs."

As an amendment, Councillor McLean, seconded by Councillor Billings, moved as follows:

"North Ayrshire Council expresses its extreme disappointment with the budget settlement for local government and with its presentation which Conservative Group elected members believe is both unethical and dishonest and is in no way consistent with a partnership approach.

Council notes that most of the supposed £550m additional funding is for existing commitments and that the £71m of uncommitted funding goes no way towards meeting the identified budget gap in council funding of £612m due to inflation, energy prices and demand pressures, and the requirement for more than £400m potentially needed for pay settlements in the coming year to address recruitment and retention issues and avoid industrial action by trade unions.

This budget settlement means another massive real terms cut in councils' core funding, after more than 10 years of real terms cuts, and will lead to a reduction in local services and the loss of jobs within local authorities and potentially to local companies that rely on councils for their employment.

Council further notes the additional burden on council finances from revaluation of non-domestic properties and condemns the threat by the Scottish Government to cut grant funding if councils were to be successful in appealing against redeterminations.

For North Ayrshire Council, the initial assessment of the local government settlement by the Council's finance team estimates a budget gap of over £10 million in 2023/24.

Council therefore agrees:

1. That the Council should make a robust public response to the budget statement, challenging in the strongest possible terms the presentation of the supposed £550 additional funding and highlighting the massive real terms cut in funding for vital local services;
2. That the Chief Executive writes on behalf of North Ayrshire Council to the First Minister and the Deputy First Minister to state that:
 - the Council does not accept that the 2023/24 Scottish local authority budget settlement by the Scottish government is fair or reasonable and that it will result in significant reductions in critical local services that will have detrimental impacts on services provided to the most vulnerable within our communities.
 - the Council supports COSLA's response from December 16 2022 which registered Council Leaders' extreme disappointment at the budget settlement and the Scottish Government's failure to respond to COSLA's SOS campaign call. North Ayrshire Council endorses calls made by COSLA for a better budget settlement in order to defend local services.
3. The Council agrees that as part of the North Ayrshire Council budgeting process impact assessments on any proposals will be undertaken to ensure that Elected Members are aware of the impacts of any possible decision. Further, once the 2023/34 North Ayrshire Council budget has been set, Council will work collaboratively to try to mitigate any negative impacts.

As a further amendment, Councillor Gurney, seconded by Councillor Johnson, moved as follows:

“Council is deeply concerned about the impacts of the settlement that Scottish Government has proposed for Local Government as part of this year's Scottish Budget.

The budget settlement as it stands means another real terms cut to Councils' core funding, at a time when many in our communities are struggling with the impact of rocketing prices across fuel, food and other bills, and facing unprecedented levels of poverty. This budget settlement will have a detrimental impact on vital local services, on our ability to focus the necessary resources and supports to our communities and on those who are already impacted by this cost-of-living crisis.

In addition, Council opposes the prospect of the Scottish Government cutting grant funding if Councils were to be successful in appealing against redeterminations, as it negates any purpose to the appeal and removes much needed resources within Local Government.

Council acknowledges the impact of inflation and global economic factors that are continuing to weigh heavily on the Scottish Government's budgets and spending plans. In addressing this, we believe that a partnership approach with Local Government would be more likely to succeed in achieving better outcomes for those who need our support the most.

Council therefore instructs the Chief Executive to write to the Deputy First Minister in support of COSLA's request for a special meeting of Leaders to hear our concerns first-hand and to work collaboratively in identifying a way forward."

In terms of Standing Order 16.5, Councillor Foster, with the agreement of his seconder, agreed to incorporate into his motion the terms of the amendment by Councillor McLean, seconded by Councillor Billings. The following, which became the substantive motion, was duly displayed in the meeting and circulated to all Members:

"Council therefore agrees:

1. That the Council should make a robust public response to the budget statement, challenging in the strongest possible terms the presentation of the supposed £550m additional funding and highlighting the massive real terms cut in funding for vital local services;
2. That the CEO writes a letter to the First Minister and the Deputy First Minister on behalf of the Council that rejects that this is a fair settlement; highlighting the massive real terms cut to the councils funding and the impact this budget settlement will have on vital local services and demanding a fair settlement to defend vital local services and jobs and the Council supports COSLA's response from December 16th 2022 which registered Council Leaders' extreme disappointment at the budget settlement and the Scottish Government's failure to respond to COSLA's SOS campaign call. North Ayrshire Council endorses calls made by COSLA for a better budget settlement in order to defend local services
3. That the Council undertakes an assessment of the likely job losses within the council and local economies that will result from this budget settlement; and
4. The Council agrees to offer a meeting of group leaders with the local government trade unions to set out our assessment of the impacts of this budget settlement and seek to undertake joint action to defend vital local services and jobs.
5. The Council agrees that as part of the North Ayrshire Council budgeting process impact assessments on any proposals will be undertaken to ensure that Elected Members are aware of the impacts of any possible decision. Further, once the 2023/34 North Ayrshire Council budget has been set, Council will work collaboratively to try to mitigate any negative impacts."

Thereafter, Councillor McLean, with the agreement of his seconder, agreed to withdraw his amendment.

Members asked a question, and received clarification, in respect of the mover and seconder of the substantive motion, namely Councillors Foster and McDonald, respectively. Clarification was also provided with regard to one reference within the text of the motion, which referred in error to the sum of “£500”, rather than “£500m”.

Councillor Hill joined the meeting at this point.

There followed debate and summing up.

On a division and a roll call vote, there voted for the remaining amendment, Councillors Collier, Dickson, Gurney, Hill, Johnson, McClung and McTiernan (7) and for the motion, as amended, Councillors Bell, Billings, Cullinane, S. Ferguson, T. Ferguson, Foster, Gallacher, Glover, Inglis, Kerr, Marshall, McDonald, McLean, McPhater, Montgomerie, Donald Reid, Stalker and Sweeney (18), Councillor Donald L. Reid abstaining, and the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

1. That the Council should make a robust public response to the budget statement, challenging in the strongest possible terms the presentation of the supposed £550m additional funding and highlighting the massive real terms cut in funding for vital local services;
2. That the Chief Executive write a letter to the First Minister and the Deputy First Minister on behalf of the Council (i) rejecting that this was a fair settlement; (ii) highlighting the massive real terms cut to the Council’s funding and the impact this budget settlement would have on vital local services and demanding a fair settlement to defend vital local services and jobs; (iii) supporting COSLA’s response from December 16th 2022 which registered Council Leaders’ extreme disappointment at the budget settlement and the Scottish Government’s failure to respond to COSLA’s SOS campaign call; and (iv) endorsing calls made by COSLA for a better budget settlement in order to defend local services;
3. To undertake an assessment of the likely job losses within the council and local economies that would result from this budget settlement;
4. To offer a meeting of Group Leaders with the local government trade unions to set out our assessment of the impacts of this budget settlement and seek to undertake joint action to defend vital local services and jobs; and
5. That, as part of the North Ayrshire Council budgeting process, impact assessments on any proposals would be undertaken to ensure that Elected Members were aware of the impacts of any possible decision. Further, once the 2023/34 North Ayrshire Council budget had been set, Council would work collaboratively to try to mitigate any negative impacts.”

5. Urgent Items

There were no urgent items.

The meeting ended at 1.40 p.m.

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PROVOST'S REPORT

For the period covering: 5 December 2022 – 5
February 2023

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

PROVOST'S REPORT

For the period covering: 5 December 2022 – 5 February 2023

Since the last meeting of the Council, I have taken part in many events, including:

North Ayrshire Carers' Centre Christmas Lunch, Ardrossan, 7 December

On 7 December, I attended North Ayrshire Carers' Centre Christmas lunch in the Lauriston Hotel, Ardrossan. The guests at the lunch were all registered carers in North Ayrshire. The event gave me the opportunity to recognise the invaluable role these people play and the positive impact they have on those they care for and indeed to the team that provide support to them throughout the year.

Garnock Christmas Concert, Garnock Campus, Glengarnock, 8 December

On 8 December, I attended the annual Christmas Concert in Garnock Campus and was entertained with some excellent performances by our young people. I am always inspired by the sheer musical talent we have in our schools across North Ayrshire.

Music Service Christmas Showcase Concert, Town Hall, Saltcoats, 11 December

On 11 December, North Ayrshire Music Service staged their annual Christmas Concert in Saltcoats Town Hall showcasing some amazing performances from the junior strings through to the senior orchestra. The event highlighted the skill and dedication of all the young people who participated in this festive extravaganza, and also the skills of their tutors.

Diamond Wedding Anniversary, Beith, 12 December

Mr and Mrs Boyce from Beith celebrated their Diamond Wedding anniversary on 12 December. I was delighted to visit the couple on the day and pass on best wishes on behalf of the Council.

Dalrymple Gardens Opening Event, Irvine, 12 December

On 12 December we officially marked the completion of the Dalrymple Gardens development in Irvine. The former Dalrymple Court sheltered housing was replaced by 9 bungalows suitable for wheelchair users and a new sheltered housing complex comprising 24 homes.

The 33 homes at this development have contributed towards the Council's target of building 1,625 new homes across North Ayrshire by 2028. This £5.8m project was supported by £1.9m of Scottish Government funding.

North Ayrshire Mental Health Commission- Final Showcase, Harbour Arts Centre, Irvine, 15 December

On 15 December, I attended North Ayrshire Mental Health Commission's Final Showcase in the Harbour Arts Centre, Irvine. We received an insight into the research that had been carried out over the last year and heard first-hand accounts of those involved. It is always a pleasure to see and learn what interests our young people have, where they live and what makes them feel good about themselves.

Ayrshire Fiddle Orchestra- 40th Anniversary Concert, Town Hall, Ayr, 17 December

On 17 December, I attended the Ayrshire Fiddle Orchestra's 40th anniversary concert in Ayr Town Hall. The concert featured former players of the Orchestra over the past 40 years as well as members who have recently joined. The concert was excellent and featured musicians from throughout Ayrshire.

Birthday Celebration, Community Centre, Barrmill, 19 December

I attended Jean Gilbert's birthday celebration in Barrmill Community Centre on 19 December. Jean has been at the heart of community life in Barrmill for many years. She is an inspiration to many of us and the voluntary work she does in her local community is admirable.

Irvine Royal Academy Christmas Concert, Irvine, 19 December

On the evening of 19 December, I thoroughly enjoyed Irvine Royal Academy's Christmas Concert. The performances by the young people were excellent and enjoyed by all those who attended. The hard work and dedication of these young people, with the support from staff, certainly paid off.

St Bridget's Primary School Nativity, Kilbirnie, 22 December

It was a joy to attend St Bridget's Primary School Nativity on 22 December. The performances were superb and the children and staff made sure everyone had a wonderful time.

Eglinton Burns Club Annual Dinner, Riverside Lodge Hotel, Irvine, 13 January

Eglinton Burns Club held their Annual Dinner in the Riverside Lodge Hotel, Irvine on 13 January. The evening was very entertaining with fine musical performances and speakers for the traditional celebration of the birth of Robert Burns. My thanks to the Club president and members for the invitation to this established community celebration.

We Make Music Instrument Libraries Day, Saltcoats Library, 26 January

On 26 January, I visited Saltcoats Library where the Music Service were launching "We Make Music Instrument Libraries" in partnership with We Make Music Scotland. The aim of this initiative is to have musical instruments in public libraries across Scotland which can be borrowed by members of the public free of charge. Entertainment at the launch was provided by guitarists from local secondary schools and the North Ayrshire Chamber Strings Ensemble.

Information on Retirement Day, Village Hall, West Kilbride, 26 January

I visited West Kilbride Village Hall on 26 January while they were hosting an Information on Retirement Day. The event was well attended, and it was good to meet all those individuals and groups attending the event. This is another fitting example of the vibrant communities we have in North Ayrshire and the splendid work carried out by volunteers.

Lockhart Campus, Official Opening Ceremony, Stevenston, 26 January

On 26 January, I had the privilege of officially opening Lockhart Campus in Stevenston. I welcomed all those partner organisations who were involved in the planning, design and construction of the school and was able to thank them for their contribution. The performances by the young people from the school were amazing and they are to be congratulated for the work they themselves put into the very entertaining opening ceremony.

Titanic Exhibition, Heritage Centre, Saltcoats, 27 January

I attended the "Titanic" exhibition in the Heritage Centre, Saltcoats on 27 January. From construction in Belfast to her fateful maiden voyage, the exhibition featured interviews and a wide variety of artefacts including examples of the China dinner plates upon which the meals were served onboard the ship. The Exhibition is well worth a visit.

Irvine Burns Club Annual Celebration, Volunteer Rooms, Irvine, 28 January

On 28 January, I attended Irvine Burns Club's Annual Celebration in the Volunteer Rooms, Irvine. This event is firmly established in Irvine's calendar of events and had a great combination of musical entertainment and guest speakers.

Kirking of the President-Elect of Irvine Burns Club and Wreath Laying Ceremony, Irvine, 29 January

On the morning of 29 January, I attended the Kirking of Angus Middleton, president-elect of Irvine Burns Club in Old Parish Church, Irvine. This traditional ceremony was attended by a variety of local organisations from the Town. In the afternoon I laid a wreath on behalf of the Council at the Burns Monument on Irvine Moor. Afterwards at Wellwood Burns Centre, Angus Middleton accepted his chain of office and was installed as Club President.

Adult Volunteer Recognition Awards, Whitlees Centre, Ardrossan, 31 January

On 31 January, The Ayrshire Community Trust hosted their adult recognition awards ceremony in the Whitlees Centre, Ardrossan. The Council Leader and I were invited to present the awards. I was delighted to hear all about the marvellous work and learn of the number of hours carried out by some of the volunteers in our communities throughout North Ayrshire.

Burns Supper, Dreghorn Primary School, Kilbirnie, 3 February

The pupils from Primary 5/6 at Dreghorn Primary invited me along to their Burns Supper on 3 February. I had a thoroughly enjoyable afternoon, filled with lovely food and great performances. The pupils were fantastic, and they put so much hard work into this traditional celebration.

PROVOST'S REPORT

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A handwritten signature in blue ink that reads "Anthea Dickson".

Councillor Anthea Dickson
Provost North Ayrshire Council



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

LEADER'S REPORT

For the period covering: 5 December 2022 – 5
February 2023

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

LEADER'S REPORT

For the period covering: 5 December 2022 – 5 February 2023

RECLAIM THE NIGHT WALK, 6 December

On 6 December, I was pleased to take part in the “Reclaim the Night Walk” which is an annual event held as part of the end Violence Against Women Campaign.

The campaign is supported by the North Ayrshire Violence Against Women Partnership (VAWP) who work to prevent violence against women and girls in North Ayrshire through strategic, multi-agency working. This collaborative approach tackles gender inequality and Gender-Based violence across all its forms.

COMMUNITY PLANNING PARTNERSHIP BOARD MEETING, 8 December

I chaired a meeting of the North Ayrshire Community Planning Partnership Board meeting on 8 December. Attendees received updates on the following subjects

- Draft Local Police Plan 2023 – 2026
- Cost of Living Crisis
- Refugee Task Force
- Child Poverty in North Ayrshire

Attendees were also provided with a report on the Strategic Housing Investment Plan (SHIP) 2023 – 2028 which sets out the priorities for affordable housing investment in North Ayrshire over the next five years to support the outcomes in the Local Housing Strategy. The Plan is prepared in accordance with Scottish Government guidance and includes details of individual development projects to be taken forward over its five-year lifespan. The plan supports the Council's historic commitment to develop 1,100 new build Council homes.

AYRSHIRE ECONOMIC PARTNERSHIP BOARD MEETING & AYRSHIRE ECONOMIC JOINT COMMITTEE MEETING, 8 December

On 8 December, the three Ayrshire Councils met for a meeting of the Ayrshire Economic Partnership Board (AEPB) followed immediately by a meeting of the Ayrshire Economic Joint Committee (AEJC). Attendees received updates on various projects from the Ayrshire Growth Deal (AGD) including the following:

- Digital Projects
- Benefits Realisation Plan
- AGD Governance Guidance
- AGD Programme Update

Attendees also discussed a report on the Flexible Advance Manufacturing Space at i3 and availability of part funding from the AGD for Phase 1 of the project

COSLA BUSINESS GATEWAY BOARD MEETING, 9 December

I attended my first COSLA Business Gateway Board meeting on 9 December. The Business Gateway service was originally provided by Scottish Enterprise and provided an entry point to a Growth Pipeline of additional support from Scottish Enterprise for a select few companies, including Account Management and further specialised support.

As an output from the 2007 Enterprise Review, and after considerable lobbying by COSLA, the Cabinet Secretary at the time, John Swinney, agreed in September 2007 that Local Government should be responsible for Local Economic Development and, as part of that, they should manage delivery of the Business Gateway service. COSLA and Local Government subsequently rolled the service out across the whole of Scotland.

COMMUNITY WEALTH BUILDING COMMISSION MEETING, 13 December

On 13 December I chaired a meeting of the Community Wealth Building Commission, held in Cunninghame House. The meeting provided the chance for some of our newer members to meet in person.

Commission members were provided with updates on various streams of work as discussed at the last Lead Officer Working Group (LOWG) held in November. This included updates on the Land and Assets, Fair Employment and Procurement workstreams, Ayrshire Growth Deal Community Wealth Building project, the Ayrshire Regional Economic Strategy and a presentation from NHS Ayrshire and Arran on their CWB approach and activities. The presentation by NHS Ayrshire and Arran gave an overview of their CWB approach. Earlier in 2022, NHS AA appointed a CWB Programme Manager and established a CWB Programme Board with lead officers aligned to each of the five CWB pillars and an officer for Climate Change. Recent NHS AA CWB Activities include Production of CWB Communication resources such as Staff News Bulletins, a CWB website page and posters; a CWB self-assessment based on the Joseph Rowntree Anchor self-assessment tool is currently underway; a workshop is being planned to discuss development of an NHS AA CWB Strategy.

Following previous discussions in relation to the CWB Anchor Charter Ambition Setting template, it was agreed there was a need to increase understanding and awareness around the Plural Ownership pillar. A workshop is currently being planned which will focus on plural ownership, including different types of ownership models, the benefits of these and how Anchors can support the development of more diverse ownership models.

The Commission will meet again on 24 March.

COSLA LEADERS, 16 December

I attended the final meeting for the year of COSLA Leaders on 16 December where discussion focused on the Local Government settlement and Pay settlement for 2022/23.

TACKLING CHILD POVERTY BOARD – FOOD MINI PUBLIC ENQUIRY, 11 January

On 11 January 2023, I attended a Food mini public enquiry held at the Volunteer Rooms in Irvine. The event was well attended by Elected Members, officers, Community partners and community groups.

The event provided the opportunity for attendees to hear from various organisations on their programs to support food provision. Attendees were also asked to share their thoughts on what North Ayrshire Council was doing well so far in this area of work, what could be improved upon and identify any gaps.

My thanks to all those who took time to attend the mini enquiry and for their invaluable input which will be used in our strategy going forward.

AYRSHIRE AND ARRAN VISITOR ECONOMY MEETING, 16 January

On 16 January, together with North Ayrshire Chief Executive, Craig Hatton, and Chief Executives and Council Leaders from East and South Ayrshire, I attended a meeting with the Chair of the Ayrshire and Arran Visitor Economic Leadership Group (AAVELG).

The AAVELG group is a group involved in partnership working across Ayrshire and beyond, with colleagues from Visit Scotland, Scottish Enterprise, East Ayrshire Council, North Ayrshire Council, South Ayrshire Council, plus members from industry representing their own businesses and the Ayrshire and Arran Destination Alliance (AADA). This group was involved in the development of a Visitor Economy Strategy, which has a focus on four key themes:

- Connect our high quality, memorable experiences
- Connect our diverse businesses to grow and build community prosperity
- Regenerate the region through the talent and creativity of our people
- Harness our natural and place-based assets to enhance our environment for the benefit of visitors and our communities

The AAVELG are currently working on finalising an action plan for 2023/24 to bolster tourism across the region. The group will present their plan to the Ayrshire Economic Joint Committee in due course.

LOCALITY BUDGET ENGAGEMENT SESSIONS, 17 – 25 January

I have attended 3 of the recent Locality Budget Engagement sessions held throughout North Ayrshire (Garnock Valley, North Coast and Arran) from 17 – 25 January. These were also attended by North Ayrshire Council Depute Leader, Councillor Shaun Macaulay and North Ayrshire Council Cabinet member for Finance, Councillor Christina Larsen.

North Ayrshire Council is seeking views on the wide range of services it provides before it sets its budget later in March.

The Council is facing unprecedented budget challenges due to factors that are largely beyond its control, including increased energy costs, inflation, and the Cost-of-Living crisis. These issues are being faced by councils across the country and are significantly impacting the 2023/24 budget.

In addition to undertaking engagement with locality partnerships, community groups and voluntary organisations, the Council is also inviting residents to share their views on the services it provides by completing an online questionnaire.

TACKLING CHILD POVERTY BOARD MEETING, 18 January

On 18 January, I Chaired a meeting of the Tackling Child Poverty Board where much of the discussion focused on the outcomes from the Food Workshop held at the Volunteer Rooms in Irvine on 11 January.

Attendees also discussed the upcoming workshops to be held on Arran and Millport in relation to the report published by the Improvement Service (November 2022) entitled “A Design Based Approach to Understanding and Tackling Rural Child Poverty”.

The approach taken by the Improvement Service was to look at the impact of barriers from the perspective of a child or family rather than purely an academic discussion. It brought several different organisations together to ensure the issues were considered from various viewpoints. This included the Northern Alliance, the Scottish Poverty Research Exchange (SPRE), the Scottish Poverty and Inequality Research Unit (SPIRU), NHS Grampian and several local authorities. The Improvement Service was able to create several problem statements centred around issues impact on families.

The forthcoming workshops on Arran and Millport will look to identify the barriers here in North Ayrshire specifically to rural poverty.

LOCALITY PARTNERSHIP AGENDA GUIDANCE MEETING, 19 January

On 19 January I attended a Locality Partnership Agenda Guidance meeting with North Ayrshire Council Locality Partnership Chairs.

It was agreed that Locality Partnership agendas will be drafted by the Chair, Senior Locality Officer and CPP officer. The draft agenda will then be circulated to Locality Partnership elected members for comment/addition before the final version is circulated.

ARDROSSAN TASK FORCE MEETING, 23 January

I travelled to Arran on the 23 January to attend a meeting of the Ardrossan Task Force, chaired by the Scottish Government Transport Minister, Jenny Gilruth MSP.

LOCKHART CAMPUS OFFICIAL OPENING, 26 January

It was wonderful to attend the official opening of the Lockhart Campus on 26 January and celebrate with the pupils.

Lockhart Campus brings together pupils from all over North Ayrshire including those who formerly attended James Reid, James Macfarlane, Stanecastle and Haysholm schools. The decision to amalgamate these schools was an ambitious and creative one, but one worth doing as it will ensure a better future for the new school community.

Pupils will have access to state-of-the-art facilities including a Swimming Pool, large hydrotherapy pool, soft play, multiple sensory rooms, activity areas out with classrooms, a mix of dining environments and of course, access to state-of-the-art technology throughout.

Lockhart is a truly inspiring and innovative building, a great achievement by all those involved including the designers, builders, teams from across the Council and of course, the school community – pupils, teachers and parents. Thank you to all those involved.

I wish all the pupils many happy years of learning ahead.

COSLA LEADERS, 27 January

I attended a meeting of COSLA Leaders on 27 January, where Leaders discussed a packed Agenda including:

- National Care Service
- National Care Home Contract
- Health and Social Care Pressures
- Social Work Workforce
- Unaccompanied Asylum-Seeking Children
- Suicide Prevention Strategy
- Cost-of-Living Support – BEIS Energy Support Scheme

The Suicide Prevention Strategy report provides an update on the development of the infrastructure to support implementation and delivery of Creating Hope Together, Suicide Prevention Strategy and Action Plan which was published in September 2022. COSLA has been a core member of the National Suicide Prevention Leadership Group (NSPLG) and hosts delivery lead officers for three actions from the previous action plan Every Life Matters. Learning from the strengths and areas for improvement of the structures in place to support the implementation of the previous strategy, the new strategy sets out the new governance model which aims to bring about these improvements.

This approach is in alignment with both the North Ayrshire suicide prevention programme and wider high level multiagency Pan Ayrshire suicide prevention strategic group.

COMMUNITY AND LOCALITY PLANNING CONFERENCE, 28 January

I was delighted to attend the Community and Locality Planning Conference on 28 January held at Saltcoats Town Hall. This was the first Conference in three years and it was great to see community partners and community groups coming together in person.

As Chair of the CPP, as well as being a member of the Irvine Locality Partnership, I have come to appreciate the diverse range of work that we are involved in. At the Community Planning Board, partners such as Police Scotland, Scottish Fire and Rescue Services, Ayrshire College and NHS Ayrshire and Arran, work at a strategic level to look at developing ideas for our communities. But it is through our Locality Partnerships that these ideas come to fruition and where the relationships are further strengthened enabling all of us to deliver the work that is most relevant to our local communities.

AYRSHIRE AND ARRAN NHS BOARD MEETING, 30 January

I attended an NHS Board meeting on 30 January where attendees received updates on the following:

- Healthcare associated infection (HCAI)
- Quality and Safety Report on Mental Health
- Corporate Governance
- Performance Governance
- Financial management report N
- North Ayrshire Children's Services Plan performance report 2021-2022

The North Ayrshire Children's Services Plan 2020-23 was developed by the North Ayrshire Community Planning Partnership following a Strategic Needs Assessment which drew data from a range of sources including the views and experiences of our children and young people, school census data, child protection data and public health data.

The North Ayrshire Children's Services Plan 2020-23 was approved and published in October 2020 and sets out five key priorities to achieve our vision in North Ayrshire – “for all our children and young people to have the best start in life and for North Ayrshire to be the best place in Scotland to grow up”.

The priorities are:

- Young people's rights and views are respected and listened to
- Acting early to improve what happens next
- Making things fairer and better
- Supporting mental health
- Helping children and young people to be active and healthy

ADULT VOLUNTEER RECOGNITION AWARDS, 31 January

I was delighted to be asked to go along and take part in the Adult Volunteer Recognition Awards hosted by The Ayrshire Community Trust (TACT) held on 31 January at Whitlees Community Centre in Ardrossan.

The work undertaken by volunteers throughout North Ayrshire is staggering and invaluable to many in our communities.

I would like to thank all the volunteers who work selflessly to help others and congratulate all the nominees and winners. Also, a big thank you to Kayleigh Livingston and her team at TACT for all their work with our communities.

VISIT TO CHILDREN 1st, 1 February

On 1 February it was great to go along to the premises of the Children 1st charity organisation in Irvine and meet the team there.

Children 1st works to keep children safe, loved and together with their families. The charity offers practical, emotional and financial support to prevent and protect children and their families from harm and to support them to recover from trauma and abuse.

The charity has been successful in receiving some money from our Community Investment Fund which is being used to fund a new post to strengthen the team and to continue the great work with children and families throughout North Ayrshire.

My thanks to Kirsty and her team for inviting me along to visit them.

A handwritten signature in blue ink that reads "Marie Burns".

Councillor Marie Burns
Leader of North Ayrshire Council

NORTH AYRSHIRE COUNCIL

15 February 2023

North Ayrshire Council

Title: North Ayrshire Community Planning Partnership (CPP) Board:
Minutes of Meeting held in December 2022

Purpose: To submit the Minutes of the meeting of the North Ayrshire
Community Planning Partnership Board held on 8 December 2022.

Recommendation: That Council the Council notes the Minutes contained in Appendix
1.

1. Executive Summary

- 1.1 It was previously agreed that the Minutes of the Community Planning Partnership (CPP) Board be submitted to North Ayrshire Council for information. The key matters arising from the minutes have been highlighted for the attention of Council and are detailed in Section 2.1.

2. Background

- 2.1 Minutes of the meeting of the CPP Board held on 8 December 2022 are appended. Particular matters for the Council's attention include the following:

Meeting of December 2022

Agenda Item 3

CPP partners received an update on the Draft Local Police Plan 2023 - 2026 including an overview of the five local policing priorities for Ayrshire. Consultation for the plan is currently live and will close on 12 February 2023.

Agenda Item 4

Partners considered the measures put in place by North Ayrshire Council and partners to support communities and vulnerable residents in response to the Cost of Living Crisis. This included support for fuel poverty, an update on the food larder network and the range of support grants available for individual households.

Agenda Item 5

A progress report on the support offered to Ukrainian families was presented including an overview of the Family Sponsor Scheme, Homes for Ukraine, and the Super sponsor scheme.

Agenda Item 6

CPP partners received a summary of the work of the Child Poverty and Cost of Living Board. A number of mini-enquiries have taken place exploring themes of Access to Services, Employability and Food. A report will be submitted to Council later in 2023.

Agenda Item 7

Progress with the delivery of the CLD Strategic Plan was presented in a six-monthly update around Youth Work, Adult Education and Community Capacity. The update also covered an overview of the work around development of older people's voice. There is now a dedicated officer to support this work.

Agenda Item 7

An update on progress with the new Local Outcomes Improvement Plan was received. Members were asked to note the date of the next Community Planning Conference on 28th January 2023.

3. Proposals

- 3.1 That the Council notes the Minutes contained in Appendix 1.

4. Implications/Socio-economic Duty

Financial

- 4.1 None.

Human Resources

- 4.2 None.

Legal

- 4.3 None.

Equality/Socio-economic

- 4.4 None.

Environmental and Sustainability

- 4.5 None.

Key Priorities

- 4.6 The CPP activities detailed within this report support the Local Outcomes Improvement Plan.

Community Wealth Building

- 4.7 None.

5. Consultation

5.1 No consultation was required.

Audrey Sutton
Executive Director
(Communities & Education)

For further information please contact **Jacqui Greenlees, Senior Manager (Policy, Performance and Community Planning)**, on **01294 324415**.

Background Papers

Appendix 1: CPP Board Minutes - 8 December 2022

Community Planning Partnership Board

Thursday 8 December 2022 at 11.00 am

Via Microsoft Teams



North Ayrshire
Community Planning Partnership

Present

North Ayrshire Council

Cllr Marie Burns, Elected Member (**Chair**)

Cllr John Bell, Elected Member

Cllr Timothy Billings, Elected Member

Cllr Scott Davidson, Elected Member

Cllr Alan Hill, Elected Member

Cllr Shaun Macaulay, Elected Member

Craig Hatton, Chief Executive

Audrey Sutton, Executive Director

Rhona Arthur, Head of Service

Ayrshire College

Angela Cox, Chief Executive & Principal

North Ayrshire Health and Social Care Partnership

Caroline Cameron, Director

Bob Martin, Chair North Ayrshire IJB

DWP

Sheila Lynn, Service Leader

NHS Ayrshire and Arran

Claire Burden, Chief Executive

Ruth Mellor, Consultant in Public Health

Police Scotland

Chief Superintendent Faroque Hussain

Scottish Enterprise

Brian Connolly, Engagement Partner

Scottish Fire and Rescue Service

Ian McMeekin, Area Manager

Skill Development Scotland

Shona Mitchell, Head of Operations South West

Scottish Partnership for Transport

Allan Comrie, Senior Transport Planner

In Attendance

Cllr Margaret Johnson (NAC), Jacqui Greenlees (NAC), Yvonne Baulk (NAC), Janeine Barrett (NAC), Angela Morrell (NAC), Jennifer McGee (NAC),

Apologies

Vicki Yuill (TSI), Sam Anson (Scottish Government), Cllr Timothy Billings (NAC), Lesley Bowie, (NHS Ayrshire & Arran Board)

1. Welcome and Apologies

The Chair welcomed everyone to the meeting and apologies for absence were noted.

2. Minute of the Previous Meeting

The minutes of the Board meeting held on 1 September 2022 were approved.

3. Draft Local Police Plan

Faroque Hussain provided the Board with an update on the draft Local Police Plan. F Hussain advised that the consultation for the plan is currently live and will close on 12 February 2023.

F Hussain shared Police Scotland's plan on a page with the Board and advised that this aligned to the national policing priorities for Scotland. The Plan will run from 2023 – 2026 and links in with the North Ayrshire LOIP as well as the Safer Communities Delivery Plan.

F Hussain advised that the five local policing priorities for Ayrshire are:

- Serious Crime
- Violence Against Women and Girls
- Safer Communities
- Community Wellbeing
- Road Safety

F Hussain highlighted that Police Scotland are keen to ensure that the local policing priorities fit the needs for North Ayrshire.

Cllr Macaulay commented that he is impressed with local engagement from Police and Officers have been involved with the local chit chats in Irvine. Cllr Macaulay also commented that the wellbeing work being undertaken by Police Scotland is very beneficial to the area. Cllr Macaulay conveyed his thanks to Police Scotland for being a good partner in North Ayrshire.

A Sutton commented that she is interested to see more visibility of the wellbeing work within the Plan. F Hussain undertook to discuss this with his Team.

Action: F Hussain

A Sutton advised the Board that the Fullarton area of Irvine has been selected by Scottish Police Authority to be a focus area for the work they are doing around improving confidence in Police Scotland in some of our most deprived communities.

F Hussain commented that it would be useful to invite the representative from the Scottish Police Authority to come along to a future meeting of the Board. The Chair welcomed this suggestion.

Action: F Hussain

The Chair thanked F Hussain for his update.

4. Cost of Living Crisis

Audrey Sutton provided the Board with a progress report in relation to the North Ayrshire Council response to the current cost-of-living crisis and associated investments and funds.

A Sutton advised the Board that the Council is designing and delivering a range of investments and initiatives to mitigate the impacts of the current cost-of-living crisis for its residents.

A Sutton shared an overview of these investments, the funds that North Ayrshire administers locally on behalf of Scottish Government or Department for Work and Pensions (DWP) which have an impact on the costs of living. Each of the cost-of-living themes are as follows:

- **Energy advice and support** – Funding used to support residents of North Ayrshire through the cost-of-living crisis by reducing fuel poverty and increasing affordable

warmth, whilst reducing carbon emissions and providing local employment opportunities as part of the programme.

- **Food, clothing and essentials** – Funding used to prevent food poverty through the provision of food with dignity. The aim is to reduce the cost of the weekly shop, not to provide a full shop, so that family budgets go further. Funding has been used for food vouchers during holidays and the provision of warm clothing/footwear/outdoor wear and basic household items, such as toiletries.
- **Finance and benefits** – The following funding streams have been or are available to support the residents of North Ayrshire:
 - Tenant Grant Fund
 - Housing Tenant Hardship Fund
 - Scottish Welfare Fund
 - Council Tax Reduction Scheme
 - Housing Benefit
 - Discretionary Housing Payment
 - Recovery and Renewal Investment Fund
 - Financial Inclusion Capacity Building
- **Children and families**
 - Free School meals
 - Child bridging payment
 - Cost of the school day support
 - Children and families investment fund
 - School clothing grants
 - Education Maintenance Allowance (EMA)
- **Health and wellbeing** - Empowering local communities to deliver a wide range of events, activities and interventions that support positive mental health and wellbeing across North Ayrshire. Arran CVS had the responsibility for the distribution of the National Community Mental Health and Wellbeing Fund. £814k was allocated to a total of 55 groups over 61 projects in North Ayrshire.
- **Business and community, including transport for work**
 - Supporting the Resilience of Local Businesses
 - Review and improve support for childminders and Out of School Care providers
 - Targeted employability opportunities for key families during Summer 2022 – Plans now progressing to deliver programmes with partners in Easter and Summer 2023.
 - Public Transport Travel Scheme – scheme provides three months of free access to bus or rail travel to those in low income households and individuals returning to work.
- **Support for communities**
 - Additional core hours to support opening of Community centres to accommodate activities associated with isolation and financial insecurity.
 - Community Books – this will allow staff and communities access a wide range of information relating to resources available in the local area.
 - Third sector support for programmes to support low-income families and individuals by building on current programmes.
- **Workforce wellbeing**
 - LiveWell Healthy Working Lives Programme - £20k of funding supports employee health and wellbeing through a programme of activities/events including a small grant fund.
 - Primary Care & Social Care Staff Wellbeing Programme – this supports to support the wellbeing and mental health of the Primary Care and Social Care workforces.

The Chair thanked A Sutton for her update and conveyed her thanks to all partners involved in the work of the North Ayrshire Cost of Living/Child Poverty Board.

Angela Cox advised that Ayrshire College are supporting students in communities by providing a warm space on a Tuesday evening with a hot meal, it has been most popular in the Kilwinning Campus. The College are looking to build upon this and develop further in the new year. A Cox also advised that students have set up a clothes and toy swap shop, this has been very popular and has been extended into the new term. The College will be giving out additional payments up to £500 before and after Christmas.

Ian McMeekin advised that Scottish Fire and Rescue are bringing together all of their watch commanders in January and would be keen to have A Sutton along to provide the team with an update on this work and how they can make connections with other partners. A Sutton commented that she would welcome attending this meeting if she is available.

Janeine Barrett commented that the Welfare Reform Team and Housing support staff are working with vulnerable tenants and resident to maximise income and signposting to other services as appropriate.

Rhona Arthur highlighted that it is important when faced with meeting need people should be advised to contact the phone council main telephone number (01294 310 000) as all support is channelled via this number. R Arthur also highlighted the two cost of living pages available on the North Ayrshire Council website and the Community Planning website. R Arthur encouraged partners to have a look at both pages as there is a wealth of information available for residents on both pages.

Jacqui Greenlees advised that the team are currently in the process of creating live web pages that communities can use and submit information to. A second layer to this work is the Community Directory which will provide broader local information and not just crisis information.

The Chair asked the Board whether they would welcome regular updates. The Board agreed with this approach.

5. Refugee Taskforce Update

Janeine Barrett provided the Board with a presentation on the Refugee Taskforce.

J Barrett advised that following the Russian Armed Forces invasion of Ukraine, the Scottish Government made an initial commitment to host 3000 Ukrainian people in Scotland. The uptake for Visa's has been significantly higher, which has seen the establishment of a number of Welcome Hubs being set up in Scotland. On 8 March 2022 the Council's Cabinet committed to providing sanctuary and support to those displaced by the ongoing conflict in Ukraine.

J Barrett highlighted that there are three Visa routes to which people can come to Scotland:

- **Family Sponsor Scheme** – this is for people who reside in Ukraine who have family in Scotland.
- **Homes for Ukraine** – 3-year visa scheme, applicants are expected to make their own arrangements by way of sponsors and applications.
- **Super sponsor scheme** - Applicants do not have to find accommodation. Households in Scotland have been asked to give expression of interests to be hosts.

Due to the high demand of applications, the Scottish Government on 13 July 2022 suspended applications, however honoured the Visa's in progress to allow time to create capacity across Scotland.

J Barrett advised that 150 Ukrainian people have passed through the North Ayrshire Hub with 98 successfully being rehomed into longer term accommodation in North Ayrshire. The Council also secured £486,000 funding from the Scottish Government to carry out improvement works on five blocks of three-storey flats at Glebe Place, Saltcoats, which had previously been earmarked for demolition.

J Barrett highlighted that the Ukrainian Taskforce, which is made up of a wide range of community planning partners continue to meet regularly. The Taskforce work together to:

- Identify and prepare temporary and longer-term accommodation
- Support and provision
- Access to schools, GPs, Dental care
- Assist with welfare benefit application
- Training and employment opportunities
- ESOL classes

The Chair thanked J Barrett for her update and commented that there has been an incredible amount of work carried up by the Team. The Chair also commented that she has met a number of the Ukrainian families who felt very welcomed coming to North Ayrshire.

Councillor Davidson commended the work of the Team.

Angela Cox commented that this is a positive story for North Ayrshire, however there is a concern around the need for additional ESOL training and asked if there was any additional funding to support this.

J Barrett advised that she is sure a bid had been made for additional ESOL funding and that she would contact A Cox separately to confirm what was bid for and what has been approved.

Action: J Barrett

Ruth Mellor asked whether the links with the NHS have been made around employability and training. J Barrett advised R Mellor that this work is being co-ordinated by the health representative on the Task Force.

6. Child Poverty

Audrey Sutton provided the Board with an update on the work of the Child Poverty.

A Sutton highlighted that over the past four months mini-inquiries on two themes of the Child Poverty work, no wrong door and employability have taken place.

A Sutton highlighted that in terms of no wrong door, an action plan has been pulled together and will be presented to the Child Poverty and Cost of Living Board in due course. In terms of the employability theme, there has been very fruitful discussions with the Council and the Third Sector around the employability delivery programmes. Much of the discussion has been around the quality of the programmes delivered together, how better to join up and communication to raise awareness of the support available. An action plan has also been pulled together for this theme and will be presented to the Child Poverty and Cost of Living Board.

A Sutton advised that at the next CPP Board meeting she will provide a more in-depth presentation in terms of no wrong door and employability, this will give the Board more of an insight on the actions and outputs of this work.

Action: A Sutton

The Chair thanked A Sutton for her update.

7. CLD Strategic Plan

Angela Morrell provided the Board with an update on the CLD Strategic Plan.

A Morrell advised that the CLD Plan focuses the three key functions of CLD which are Youth Work, Adult Education and Community Capacity.

In terms of youth work, all youth work has returned to normal and back to face to face. The digital and North Ayrshire wide activities remain online.

Some of the key highlights for Youth Work are:

- Highest number of Youth Work modern apprentices since the conception of the programme 9 years ago. 13 Youth Work apprentices work across North Ayrshire with a range of partners. Now entering fourth year of 100% completion in terms of the Youth Work modern apprenticeship.
- Currently have 823 registered and taking part in the Duke of Edinburgh Award across North Ayrshire. All secondary schools across North Ayrshire are delivering this Award.
- A number of staff have been trained as ambassadors in Your Resilience and Unity Training. They are working within schools and communities to build up the resilience of young people.
- Staff worked alongside a range of partners and volunteers running the summer holiday meals programme. This was attached to activities to ensure young people were provided food with dignity.
- Lead Officer for Youth Services won the first Digital and STEM award from Youthlink Scotland.

Some of the key highlights for Adult Education are:

- Syrian Hub launched supporting refugee led community group to provide a weekly drop in including input from CHAP, HSCP and housing.
- Ukrainian Hub launch supporting Ukrainian guests led community group to provide weekly drop in including input from HSCP, housing and DWP.
- The Council employ refugees and Ukrainian guests within our core and sessional teams as tutors and locality workers.
- 3182 adults engaged in Community Bases Adult Learning activities with locality and thematic teams between March and September 2022.

Some of the key highlights for Community Capacity are:

- The fairer food network continues to grow, providing upwards of 725 appointments per week and estimating a reach of 2,000-3,000 households across North Ayrshire.
- Further developments included the launch of a Google map on the Council website and Library app of the larders.
- Working with CWB Colleagues secured four community benefits which provide food directly to the larder network, as part of wider Council contracts.
- Public decision-making was recorded for 2.32% of the Council budget in 2021/22. North Ayrshire exceed the 1% target.
- Community Asset Transfer (CAT) paperwork has all been reviewed and updated. Team is supporting 18 groups with their CAT paperwork and 7 groups are on the last stage of Asset Transfer.

- Four of the community engagement hubs are up and running with a needs-based programme of activities for residents and the local community.
- External funding levered in for Third Sector organisations was upwards of £400,000.

A Morrell highlighted that in terms of work around the development of older people's voice, there is now an Officer dedicated to support this work. A consultation and engagement plan has also been implemented and 21 weekly activities take place across the engagement hubs.

A Morrell also highlighted that North Ayrshire Council were selected to take part in an Aspect Review with HMIE in May 2022. 24 Local Authorities took part and North Ayrshire Council were highlighted as good practice around the work of the food larders and the resilience and recovery.

The Chair thanked A Morrell for her update and also conveyed her thanks to the wider CLD Team.

8. Partner updates

North Ayrshire CPP - J Greenlees advised the Board that the next Community & Locality Planning Conference will be held on 28 January 2023. J Greenlees encouraged the Board to attend. J Greenlees also advised the Board that she is working on the North Ayrshire response to the Scottish Government to the CPP Inquiry. A copy will be circulated to the Board for comment next week.

Ayrshire College – A Cox advised that the Future Schools Hub is on track to be completed by end of academic year and should be teaching from the new facility August 2023. This provides the opportunity to deliver Apprentice training from Kilwinning. The team are also finalising resources around digital and AI courses.

Scottish Fire and Rescue – I McMeekin advised that one of the Trade Unions has started consulting on a ballot for industrial action, this started on Monday 5 December and will be complete on 13 January 2023. An update will be provided when necessary.

Action: I McMeekin

9. AOCB

The Chair conveyed her thanks to all in attendance and commented that there has been a phenomenal amount of work as partners. T

10. The next meeting of the North Ayrshire CPP Board will be held on 13 March at 1.30 pm on Microsoft Teams.

15 February 2023**North Ayrshire Council**

Title: Car Parking Charges

Purpose: To ask Council: to consider and agree the outcome and recommendations arising from the local discussions held with Ward Members and local measures proposed following the introduction of DPE and car parking charges; and to ask Council to consider and agree the level of parking charges to be introduced.

Recommendation: Council is asked to:

- i) consider and agree the recommendations for addressing local concerns including the introduction of resident parking permits and the removal of Bradshaw Street, Saltcoats from the chargeable car parks; and
- ii) consider and agree the level of charges to be introduced in the car parks, noting that should option 3 (as detailed within Appendix 3) be the preferred option, then an alternative source of revenue funding will need to be identified to address the budget shortfall identified in paragraph 4.1 of this report.

1. Executive Summary

- 1.1 At a meeting of North Ayrshire Council on 28 February 2018, it was agreed to develop the introduction of Decriminalised Parking Enforcement (DPE) and the introduction of car parking charges.
- 1.2 Since the withdrawal of the Traffic Warden Service by the Police in 2012, the enforcement of parking violations has reduced significantly and is now generally only undertaken by the Police in response to complaints or issues of obstructive parking leading to a significant increase in visible parking violations and poor parking behaviours, with the Council having no enforcement powers to tackle this.
- 1.3 In June 2019 Cabinet recommended that DPE be introduced across North Ayrshire and that car park charges should apply in Irvine, Kilwinning, Saltcoats, Largs and Brodick. However, following a call in to the Audit and Scrutiny Committee the matter was referred back to Cabinet to reconsider the previous decision in relation to the introduction of car parking charges in Brodick and the inclusion of Arran in DPE.
- 1.4 On 25 September 2019 full Council considered and supported DPE for the entire

Council area but decided not to implement car parking charges on Arran. Arrangements commenced to implement the Council's decision, however the global pandemic emerged, and the introduction of the proposals was therefore put on hold, predominantly due to the re-prioritisation of Council resources and Scottish Government resources to respond to the pandemic.

- 1.5 At the budget setting meeting on 2 March 2022 full Council agreed to an increase in proposed charges from those previously agreed.
- 1.6 A motion was proposed at the Full Council Meeting on 21 September 2022 that in view of the pandemic and the cost of living crisis, the introduction of these measures should be paused and a further review of the impact of these measures on residents and local businesses should be undertaken. However, following a division and a roll call vote, Council agreed that 'in light of the deepening financial crisis, a proposal be brought to Cabinet to reconsider the level of charges proposed in the 2022/23 budget'.
- 1.7 Petitions objecting to the introduction of car parking charges were received from businesses and traders in Kilwinning, Irvine and Saltcoats citing that in their opinion the introduction of car parking charges would have an adverse impact on local businesses and that this may result in the closure of a number of small independent businesses in the towns affected. The petitions were heard by the Audit and Scrutiny Committee on 15 November 2022, and these were upheld and referred to Cabinet for further consideration.
- 1.8 On 24 January 2023, Cabinet considered reports by (1) the Head of Service (Democratic Services) on the outcome of consideration by the Audit and Scrutiny Committee of three petitions in relation to proposed car parking charges in Kilwinning, Irvine and Saltcoats, and (2) the Executive Director (Place) on 3 petitions received objecting to the introduction of car parking charges, the outcome of local discussions held with Ward Members and local measures proposed following the introduction of DPE and car parking charges and to consider and agree the level of parking charges to be introduced.
- 1.9 Cabinet agreed on 24 January 2023 to: (a) note the 3 petitions (as detailed in the report from the Head of Democratic Services) received objecting to the introduction of car parking charges and heard at a recent meeting of the Audit and Scrutiny Committee; (b) remit consideration of the recommendations for addressing local concerns (including the introduction of resident parking permits and the removal of Bradshaw Street, Saltcoats from the chargeable car parks) to the next meeting of Council; and (c) remit consideration and approval of the level of charges to be introduced in the car parks (noting that should option 3, as detailed within Appendix 3 to the report, be the preferred option, then an alternative source of revenue funding would need to be identified to address the budget shortfall identified in section 4.1 of this report) to the next meeting of Council.

2. Background

- 2.1 In 2012 the Traffic Warden Service was withdrawn by the Police. Parking violations in North Ayrshire are a criminal offence and Police Scotland is responsible for parking enforcement through powers under the Road Traffic Act. However, they are often unable to do so due to competing priorities/pressures.
- 2.2 At a meeting of North Ayrshire Council on 28 February 2018, it was agreed to develop

the introduction of Decriminalised Parking Enforcement (DPE) and the introduction of car parking charges.

What is Decriminalised Parking Enforcement (DPE)

- 2.3 Decriminalised Parking Enforcement (DPE) is a regime which enables the local authority to administer its own parking penalties, including the issuing of Penalty Charge Notices (PCNs) to vehicles parking inappropriately. In areas with DPE, stationary traffic offences cease to be criminal offences enforced by the Police and instead become civil penalties enforced by the local authority. Local authorities retain the income from penalty charges from parking offences to finance the operation, enforcement and adjudication of the DPE regime.
- 2.4 There are many benefits of DPE and a key desired outcome of introducing DPE and parking charges is an improved regulation of traffic in our town centres, by directing long stay patrons to free parking slightly further out whilst providing chargeable and short stay parking close to retail and other town centre services. This is aimed at creating more turnover of parking spaces and improved availability and access for people to get a parking space in Town Centres, thereby improving opportunities and ease of access to local business premises.
- 2.5 The introduction of these measures also aligns with National Transport Policy by encouraging more active and sustainable modes of transport. The Scottish Government has a target to reduce car usage by 20% by 2030 and car parking charges will help contribute to this target by shifting people towards using alternative and sustainable modes of transport.
- 2.6 Furthermore, there is a significant problem in that disabled parking bays are being abused with able bodied drivers parking in them preventing disabled badge holders from parking. There are also issues with inconsiderate drivers parking on double yellow lines, bus stops, 'keep clear' areas near schools etc. and DPE powers will help the Council act on this. It should be noted that disabled badge holders will be able to park free of charge in the car parks where charges apply.
- 2.7 DPE is not financially viable on its own and requires additional income from car parking charges to support its operation. The income generated from penalty charges from on and off-street parking violations must be retained to finance the operation, enforcement and adjudication of the DPE regime. To implement and manage the DPE and car parking charges regime, enforcement staff will be required. The enforcement of DPE will require the recruitment of 1 Supervisory Parking Attendant and 6 Parking Attendant's. This will enable 130 hours of on and off-street enforcement per week excluding travel time and administration. Shift working will be required for the Parking Attendants to ensure enforcement can be delivered over the full week. The Enforcement Team will be employed by the Council, however assistance with the administration and processing of the PCN's will be through collaboration with an external partner. The costs of delivering Decriminalised Parking Enforcement have been factored into the financial modelling.
- 2.8 For information, details of income generated from DPE through the issue of Penalty Charge Notices (PCNs) for other local authorities in Scotland for 2019/20 are included in Appendix 1. This shows that two Local Authorities, Angus Council and East Renfrewshire Council, operated DPE without car parking charges and both incurred a financial loss. More locally, East Ayrshire Council generated a net income of £604,138

by introducing car parking charges alongside DPE. In South Ayrshire, the data shows a net income achieved of £739,809.

Cabinet, Council, Audit & Scrutiny decisions

- 2.9 In June 2019 Cabinet recommended that DPE be introduced across North Ayrshire and that car park charges should apply in Irvine, Kilwinning, Saltcoats, Largs and Brodick. The charges proposed were as follows:

Proposed Tariff	
Time (Mins)	Short Stay
60	£1.00
120	£1.50
240	£3.00
All Day	Not Permitted

- 2.10 However, following a call in to the Audit and Scrutiny Committee the matter was referred back to Cabinet to reconsider the previous decision in relation to the introduction of car parking charges in Brodick and the implementation of DPE on Arran.
- 2.11 On 25 September 2019 full Council considered and supported DPE for the entire Council area but decided not to implement car parking charges on Arran. Arrangements commenced to implement the Council's decision, however the global pandemic emerged, and the introduction of the proposals was therefore put on hold, predominantly due to the re-prioritisation of Council resources and Scottish Government resources to respond to the pandemic.
- 2.12 At the budget setting meeting on 2 March 2022 full Council agreed to an increase in proposed charges from those previously agreed, as follows.

Proposed Tariff	
Time (Mins)	Short stay
60	£1.50
120	£2.00
240	£3.50
All Day	Not permitted

- 2.13 The budget proposal agreed on 2 March 2022 was based on estimated net revenue income of £440,000 from the introduction of DPE/car parking charges. However, following a recent financial evaluation there is a risk that the £440,000 net income forecast is unlikely to be achieved and it is more prudent to assume that the sum of £300,000 net revenue income per year, based on the March 2022 agreed car park charges, is achievable.
- 2.14 This is due to several factors. Although the estimated income for charges and Penalty Charge Notices (PCNs) has remained constant, expenditure costs have increased significantly since the original Options Appraisal/Business Case was prepared in 2018/19. Pay awards, vehicle costs, fuel costs and other associated supplies and services costs have increased significantly, particularly in recent times. Furthermore, the original Options Appraisal/Business Case was based on external enforcement rather than internal enforcement. Whilst external enforcement would cost less per year to operate there are other non-financial benefits in operating an internal enforcement team. Internal enforcement would allow the Council more control over the deployment of the team to hot spots/ areas of concern and there is also a negative

stereotype image of external enforcement teams having an over-zealous approach to enforcement duties. The Council also has experience of enforcement activity through the Environmental Enforcement Team and this knowledge/experience will be valuable in the formation of the DPE enforcement team. It should be stressed however, that the anticipated net revenue position is based on an assumed level of car park vehicle occupancy. This activity level would likely be variable and require to be continually monitored.

- 2.15 To obtain DPE powers the Council must follow a statutory process and make an application to Scottish Government. North Ayrshire Council has submitted their application for DPE powers and have been advised by Transport Scotland that the implementation date that Scottish Government are working to has been further delayed from 1 July 2023 and is now likely to be around August/ September 2023.
- 2.16 Location plans of the proposed car parks where charges are to be introduced are shown in Appendix 2. The estimated vehicle occupancy in the car parks has been estimated as 25% to 35% to take account of potential displacement following the introduction of the new charging regime.
- 2.17 Petitions objecting to the introduction of car parking charges were considered at the Audit and Scrutiny Committee on 15 November 2022. Three petitions were received in respect of the proposal to introduce car parking charges in Kilwinning, Irvine and Saltcoats. The objections were based on a number of factors including the financial impact on local businesses, the cost of living crisis, lack of consultation and impact on residential parking. The 3 petitions requested free parking remains in place. The Audit and Scrutiny Committee agreed to accept the three petitions and ask Cabinet to note their content when considering the intended report on the level of car parking charges at their meeting on 24 January 2023. Cabinet noted the petitions at its meeting on 24 January 2023.

Measures to address local concerns

- 2.18 In Irvine it is proposed to introduce parking charges in 3 town centre car parks at Kirkgate, West Road and East Road. Officers met with Irvine Ward Members on 6 December 2022 to agree local needs, including a review of restrictions and the need for Resident Parking Permits as a result of displacement following the introduction of car parking charges. From officer inspections only the Kirkgate car park demonstrated overnight and daytime occupation of the car park by residents. It is therefore proposed to introduce resident parking permits for residents of Hill Street affected by the introduction of the parking charges. It is proposed that the first permit would be free of charge, and it is suggested that an additional permit should incur an administration fee of £100. It is also proposed to introduce a small number (6 bays) of time limited free (30 mins) free parking at East Road Car Park to assist with short stops required to access local businesses in the town centre.
- 2.19 In Kilwinning it is proposed to introduce car parking charges in 2 car parks, these being at Almswall Road and at Oxenward. Officers met with Kilwinning Ward Members on 5 December 2022 to consider local needs. Following officer inspections only the Almswall Road car park demonstrated resident parking during the day. It is proposed that resident parking permits are issued to the residents that are fronting and abutting Almswall Road car park and also the residential properties affected on Almswall Road. It is suggested that the first permit would be free of charge, and that any additional permit should incur an administration fee of £100. It is also suggested

that there should be some time limited free patient parking (up to 60 minutes) on Almswall Road for up to 5 vehicles and time limited patient parking at Oxenward Surgery for 2 vehicles (up to 60 minutes). In addition, it is proposed some time limited free parking (up to 60 minutes) in Woodwynd West for up to 6 spaces and Oxenward (Boulevard) for to 2 vehicles to assist with short stops required to access local businesses in the town centre.

- 2.20 In Saltcoats it was proposed to introduce car parking charges in Vernon Street, Bradshaw Street, Windmill Street and Kirkgate. Officers met with the Saltcoats Ward Members on 8 December 2022 to agree local needs. From officer inspections of the car parks only the Bradshaw Street car park demonstrated a need for resident parking permits. However, if residential parking permits were issued for Bradshaw Street, there would be little scope to recover any income. It is therefore proposed this car park is removed from the proposals for car parking charges. Residential parking permits were not considered necessary in any of the remaining car parks. A long-term lease of the Kirkgate car park is currently being finalised and parking charges are necessary to fund the lease agreement. Local members also discussed the benefits the enforcement of current parking restrictions could deliver for local businesses such as the one hour short stay at Hamilton Street. This would generate more traffic turnover and more business for local traders as this is currently being abused by people parking for longer than the one hour.
- 2.21 In Largs there is already car park charges in place at the Seafront Car Park and at Bellman's Close. it is proposed to introduce further parking charges in the car park at Gateside Street. Officers met with North Coast Ward Members on 8 December 2022 to agree local needs. It is proposed to introduce resident parking permits in the Gateside Street car park for residential properties in the immediate vicinity of the car park. It is proposed that the first permit would be free and that any additional permit should incur an administration fee of £100. In addition, it is proposed to introduce time limited free parking in Fraser Street and Morris Street (up to 60 minutes) for visitors. This will remain unlimited to the residents of Fraser Street and Morris Street who have no access to off street parking.
- 2.22 Cabinet agreed on 24 January 2023 to remit consideration of the recommendations for addressing local concerns (including the introduction of resident parking permits and the removal of Bradshaw Street, Saltcoats from the chargeable car parks) to the next meeting of Council.

Level of charges to be applied

- 2.23 Cabinet agreed on 24 January 2023 to also remit consideration and approval of the level of charges to be introduced in the car parks (noting that should option 3, as detailed within Appendix 3 to the report, be the preferred option, then an alternative source of revenue funding would need to be identified to address the budget shortfall identified in section 4.1 of this report) to the next meeting of Council, in recognition of the fact that previous decisions in relation to car parking charges had been taken by Council.
- 2.24 Options for the level of parking charges are provided in Appendix 3. It should be noted that car parking charges will apply from Mon-Fri between 0900-1700 hours for Irvine, Kilwinning and Saltcoats. For Largs, car park charges will apply seven days per week from 0900-1700 hours.

3. Proposals

3.1 It is proposed that the Council:

- i) considers and agrees the recommendations for addressing local concerns including the introduction of resident parking permits and the removal of Bradshaw Street, Saltcoats from the chargeable car parks; and
- ii) considers and agrees the level of charges to be introduced in the car parks, noting that should option 3 (as detailed within Appendix 3) be the preferred option, then an alternative source of revenue funding will need to be identified to address the budget shortfall identified in paragraph 4.1 of this report.

4. Implications/Socio-economic

Financial

4.1 Capital amounting to £300,000 was allocated for this project. The costs associated with land purchase adjacent to Bellman's Close and associated infrastructure were met from this. Details on potential revenue income are provided in Appendix 3. The budget proposal agreed on March 2022 was based on estimated net income of £440,000 from the introduction of car parking charges. However, following a recent financial evaluation in the preparation of this report it has been assessed that the £440,000 income forecast is unlikely to be achieved and the sum of £300,000 net revenue income per year based on the March 2022 agreed car park charges is a more realistic estimate. This is due to a number of factors. Although the estimated income for parking fee charges and Penalty Charge Notices (PCNs) has remained constant, expenditure costs have increased significantly since the original Options Appraisal/Business Case was prepared in 2018/19. Pay awards, vehicle costs, fuel costs and other associated supplies and services costs have increased significantly, particularly in recent times. As well as this the removal of Bradshaw Street, Saltcoats due to lack of available spaces has reduced income by £10,217. Furthermore, the original Options Appraisal/Business Case was based on external enforcement rather than internal enforcement. Whilst external enforcement would cost less per year to operate there are other non-financial advantages in operating an internal enforcement team. In terms of existing budgeted resources an approved net budget of £440,000 income is currently reflected in the Council's financial plans for 2023/24. The anticipated financial impact from this report ultimately depends on the level of car parking charges approved. In the case of option 1 or option 2 being approved, there would be an anticipated full year budget shortfall of between £135,000 to £140,000. Due to the variable activity level of car park occupancy and resultant income this position would be subject to monitoring during the course of 2023/24 with any adverse variance managed within the context of existing Council resources. These resources include additional temporary budget provision for 2023/24 associated with areas of key inflationary pressure, including pay, fuel etc. Any anticipated recurring adverse variance beyond 2023/24 would be incorporated into the budget planning for 2024/25. However, in the case of option 3 being approved, with an anticipated net deficit of £176,000, this would result in a budget pressure of over £616,000 from the Council's budgeted resources. With no variable income generated from car parking to mitigate this financial risk on a recurring basis, appropriate substitute savings to this value would require to be identified in order to address the budget gap. Finally, in the case

of option 1 and option 2 and in particular, a model of operation where the 1st hour parking is free, this would present a significant financial impact and would also require substitute savings to be identified.

Human Resources

- 4.2 The enforcement of DPE will require the recruitment of 1 Supervisory Parking Attendant and 6 Parking Attendants.

Legal

- 4.3 Legislation contained in The Road Traffic Act 1991 enables local authorities to decriminalise parking offences and allows local authorities to introduce their own parking penalty regime. A Traffic Regulation Order which consolidates our on-street parking restrictions and a Traffic Regulation Order which enables parking charges in our car parks have been promoted and were issued on 28 July 2022. The Penalty Charge Notice (PCN) charge is set by the Scottish Government and the Council cannot amend this.

Equality/Socio-economic

- 4.4 Improved car parking opportunities and better management of parking will improve accessibility to town centres for all.

Climate Change and Carbon

- 4.5 The introduction of DPE and car parking charges aims to support sustainable and active travel and reduce the impact of transport on our communities. This also includes aims to reduce the volume of traffic travelling through our towns and to facilitate public transport to support a shift towards more sustainable travel behaviour. This aligns with the Council's agreed Environmental Sustainability and Climate Change Strategy workstreams of: Green Economy; Transport and Travel; and Sustainable Operations. Furthermore, it aligns with the Council's commitment to reduce carbon emissions through our declaration of a Climate Emergency and will contribute to the ambition to achieve net zero by 2030.

Key Priorities

- 4.6 The introduction of DPE and car parking charges will contribute to the Council's strategic objectives of growing our economy, increasing employment and regenerating towns through the creation of improved turnover in parking spaces in town centres and new and improved opportunities for sustainable and active travel to key employment areas, town centres, services and local attractions.

Community Wealth Building

- 4.7 The introduction of DPE and car parking charges supports the creation of 7 new jobs within the area.

5. Consultation

- 5.1 As part of the implementation of DPE it is a statutory duty to publish plans to introduce car parking charges and this was issued through a Traffic Regulation Order on 28 July 2022. Local ward members in areas where parking charges are being introduced were consulted in December 2022 in respect of the measures to be introduced to mitigate local concerns. It is also proposed that further engagement takes place with local residents and businesses in the areas affected by parking charges and that information in the format of a Frequently Asked Questions document be published to share updates on the project.

RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact **Thomas Reaney, Head of Neighbourhood Services**, on **01294 324890**.

Background Papers

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Decriminalised Parking Enforcement

Local Authorities' Income and Expenditure: 2019 to 2020

<http://www.gov.scot/Resource/Doc/918/0096509.pdf>

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Background

The Road Traffic Act 1991 introduced provisions enabling the decriminalisation of most non-endorsable parking offences in London and permitted similar arrangements to be introduced elsewhere in the UK by secondary legislation. Currently 21 local authorities in Scotland operate Decriminalised Parking Enforcement (DPE) regimes in their areas. DPE is a regime that enables a local authority to enforce its own parking policies, including the issuing of Penalty Charge Notices (PCNs) to motorists breaching parking controls in specified areas. DPE seeks to ensure that parking policies are implemented effectively and the underlying objective of DPE operation should be to achieve 100% compliance with parking controls and therefore no penalty charges.

In areas with DPE, stationary traffic offences cease to be criminal offences enforced by the police and instead become civil penalties imposed by local authorities. Enforcement of certain parking offences such as obstructive or dangerous parking remains the responsibility of Police Scotland.

Scottish Government position on DPE

The Scottish Government's position is that decriminalised parking enforcement powers should contribute to a local authority's overall transport objectives and thereby contribute to National and Regional Transport Strategies. Parking policies are an essential part of a local authority's traffic management strategy and should be designed to manage the traffic network effectively, improving or maintaining traffic flow and reducing congestion. This improves road safety and the local environment and encourages, where appropriate, increased use of more sustainable and healthy forms of travel.

The integration of enforcement powers and parking policy should enhance local authority accountability to its residents for overall parking policy, as well as enabling better monitoring of the effectiveness and value of parking controls to ensure that such parking policy is responsive to public needs.

Local authorities with DPE powers

There are 21 local authorities in Scotland that have acquired DPE powers and these are listed in Table 1. The remaining local authorities, also listed in the table, are either actively working towards DPE, such as North Ayrshire Council, Orkney Islands Council and Aberdeenshire Council, or are authorities who have decided that enforcement powers are not necessary or are not desired for reasons such as cost of implementation.

1 Road Traffic Act 1991 – Review of Penalty Charge Notice Levels Revised Guidance (2001), Scottish Executive.
<http://www.gov.scot/Resource/Doc/918/0096509.pdf>

DPE introduced	Actively working towards DPE	Not formally engaged with SG on a DPE proposal
Aberdeen City (2003)	Aberdeenshire	Clackmannanshire
Angus (2017)	North Ayrshire	Dumfries & Galloway
Argyll and Bute (2014)	Orkney Islands	Moray
City of Edinburgh (1998)		Na h-Eileanan an Iar (Western Isles)
Dundee City (2004)		Scottish Borders
East Ayrshire (2012)		Shetland Islands
East Dunbartonshire (2014)		West Dunbartonshire
East Lothian (2017)		West Lothian
East Renfrewshire (2013)		
Falkirk (2018)		
Fife (2013)		
Glasgow City (1999)		
Highland (2016)		
Inverclyde (2014)		
Midlothian (2018)		
North Lanarkshire (2017)		
Perth and Kinross (2002)		
Renfrewshire (2010)		
South Ayrshire (2012)		
South Lanarkshire (2005)		
Stirling (2017)		

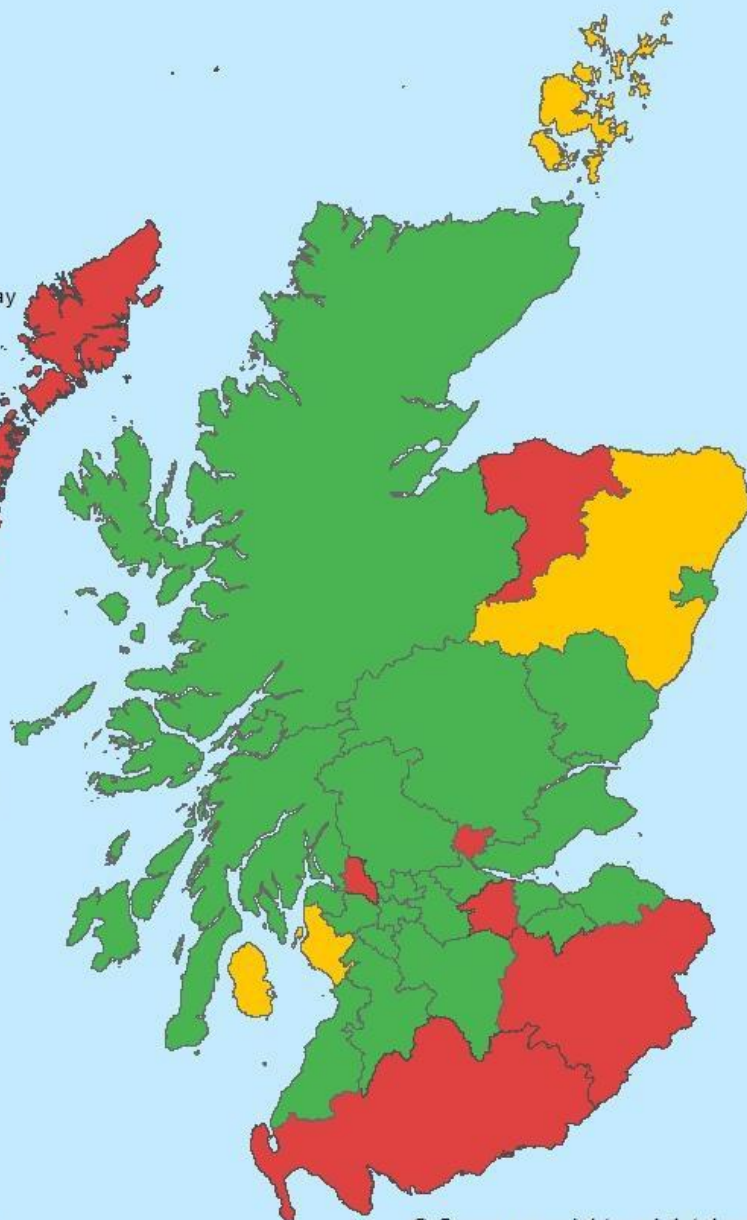
Table 1: Local authorities with or without DPE powers

Decriminalised Parking Enforcement (DPE) in Scotland at September 2020

Legend

- Introduced
- Being Introduced
- Not Introduced

- Aberdeen City
- Aberdeenshire
- Angus
- Argyll and Bute
- City of Edinburgh
- Clackmannanshire
- Dumfries and Galloway
- Dundee City
- East Ayrshire
- East Dunbartonshire
- East Lothian
- East Renfrewshire
- Falkirk
- Fife
- Glasgow City
- Highland
- Inverclyde
- Midlothian
- Moray
- Na h-Eileanan Siar
- North Ayrshire
- North Lanarkshire
- Orkney Islands
- Perth and Kinross
- Renfrewshire
- Scottish Borders
- Shetland Islands
- South Ayrshire
- South Lanarkshire
- Stirling
- West Dunbartonshire
- West Lothian



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Figure 1: DPE map of Scotland

Penalty Charges

Penalty Charge Levels – Background

Under Section 74 of the Road Traffic Act 1991, as amended by the Orders designating the permitted and special parking areas in the local authority area, it is the duty of the local authority operating DPE to have regard to any guidance issued by the Scottish Ministers in respect of the levels of parking charges.

The current guidance¹ dates to April 2001. The amounts payable by a motorist issued with a PCN by a local authority and – for general context – in respect of parking related Fixed Penalty Notices (FPNs) issued by Police Scotland, are as follows.

PCNs (DPE) are in an initial amount of £40, £50 or £60. Those amounts are discounted by 50% if paid within 14 days or increased by 50% if certain follow-up enforcement action is required. FPNs (not DPE) are in an initial amount of £30, rising to £45 if certain follow-up enforcement action is required.

Number of PCNs Issued by local authorities

Table 2 below indicates the number of PCNs that have been issued by local authorities with DPE powers over the last three financial years. The information is collated from information provided by the local authorities in question. Further information on these figures can be obtained from the relevant local authority.

1 Road Traffic Act 1991 – Review of Penalty Charge Notice Levels Revised Guidance (2001), Scottish Executive.
<http://www.gov.scot/Resource/Doc/918/0096509.pdf>

Local Authority	2017/18	2018/19	2019/20
Aberdeen City	40,392	38,967	36,842
Angus	6,273	6,626	8,217
Argyll & Bute	6,269	6,696	5,775
City of Edinburgh	191,563	183,965	191,479
Dundee City	21,837	29,130	31,949
East Ayrshire	6,262	6,900	6,097
East Dunbartonshire	5,301	6,348	6,137
East Lothian	10,040	9,540	10,063
East Renfrewshire	5,176	4,859	3,614
Falkirk*	-	2,881	7,689
Fife	21,890	21,768	19,864
Glasgow City	125,505	146,412	152,579
Highland	9,477	10,000	10,386
Inverclyde	8,059	9,117	8,635
Midlothian*	-	6,855	6,939
North Lanarkshire*	-	6,018	11,863
Perth & Kinross	14,469	15,852	13,401
Renfrewshire	6,823	6,974	5,191
South Ayrshire	5,824	7,213	8,991
South Lanarkshire	20,952	21,281	22,320
Stirling	9,975	9,586	12,189

Table 2: Number of PCNs issued by local authorities with DPE

- * Falkirk Council's DPE regime commenced on 19 November 2018
- * Midlothian Council's DPE regime commenced on 2 April 2018
- * North Lanarkshire Council received their powers in November 2017 however their DPE regime did not commence until November 2018

Number of Bus Lane Enforcement Charges issued by local authorities

Table 3 below indicates the number of Bus Lane Enforcement Charges that have been issued by local authorities with DPE and Bus Lane Enforcement powers in the last financial year. The information is collated from information provided by the local authorities in question. Further information on these figures can be obtained from the relevant local authority.

Local Authority	2018/19	2019/20
Aberdeen City	27,295	21,170
City of Edinburgh	28,668	54,586
Glasgow City	96,506	115,534

Table 3: Number of Bus Lane Enforcement Charges issued by local authorities with DPE (only applicable to local authorities with Bus Lane Enforcement powers)

Financing of DPE

Ministers' guidance to local authorities seeking to acquire DPE powers is that the system should insofar as possible be self-financing. Section 55 of the Road Traffic Regulation Act 1984 provides that any deficit accrued by a local authority as a result of the authority's operation of DPE must be made good out of the local authority's general fund. Section 55 also requires that any surplus may only be used to make good any amount charged to the general fund over the preceding 4 years or for certain transport-related purposes including; the provision and maintenance of off-street parking or, where the local authority consider that further provision of off-street parking is not necessary or desirable, the provision or operation of (or facilities for) public passenger transport services; or for road improvement projects in the local authority area.

Under Section 55 of the 1984 Act, as amended, a local authority operating a DPE regime is required to keep an account of their income and expenditure in respect of designated parking places and additional parking charges, in the permitted and special parking areas. The following table provides the income and expenditure figures for each of the 21 local authorities who have been operating DPE regimes in their areas from 2019 to 2020.

Local authority	PCN income	Pay & display/other income	Total income	Expenditure	Annual balance
Aberdeen City	1,311,333	7,288,265	8,599,598	3,521,099	5,078,499
Angus	187,339	0	187,339	314,918	-127,579
Argyll & Bute	178,419	1,024,112	1,202,531	360,375	842,156
City of Edinburgh	5,898,735	27,207,305	33,106,040	9,230,474	23,875,566
Dundee City	1,059,719	4,141,757	5,201,476	2,871,520	2,329,956
East Ayrshire	258,568	1,127,677	1,386,245	782,107	604,138
East Dunbartonshire	204,174	345,474	549,648	323,798	225,850
East Lothian	316,255	295,388	611,643	448,363	163,280
East Renfrewshire	133,257	0	133,257	220,481	-87,224
Falkirk	270,215	497,182	767,397	421,718	345,679
Fife	523,000	3,318,000	3,841,000	2,840,000	1,001,000
Glasgow City	5,484,781	19,305,557	24,790,338	8,547,211	16,243,127
Highland	306,453	829,908	1,136,361	1,144,081	-7,720
Inverclyde	369,421	39,103	408,524	390,975	17,549
Midlothian	184,224	51,922	236,146	282,632	-46,486
North Lanarkshire	369,108	1,410	370,518	282,873	87,645
Perth & Kinross	526,945	3,028,038	3,554,983	2,528,140	1,026,843
Renfrewshire	131,316	759,506	890,822	569,525	321,297
South Ayrshire	296,999	798,687	1,095,686	355,877	739,809
South Lanarkshire	748,579	1,577,928	2,326,507	2,326,507	0
Stirling	332,070	713,824	1,045,894	739,660	306,234

Table 4: Local authorities with DPE – income & expenditure (£) – financial year 2019-2020

The information provided in Table 4 has been provided by the local authorities concerned. Figures from the councils who have recently set up DPE regimes may be affected by initial setting-up costs. Figures have also been provided for pay & display income, vehicle impound income and permit income, to inform our understanding of the overall position.

The precise uses to which any DPE surpluses have been put are a matter for the relevant local authority. For the purposes of this report to committee, the Scottish Government has been advised by local authorities of the following:

- Aberdeen City Council reported that the Bus Lane Infringement Surplus was used for strategic road improvements, transport and roads related projects.
- Argyll and Bute Council reported that the surplus income is used to maintain the car park facilities (including surface maintenance and upgrading parking machines to cashless) and for road improvements. Road improvements included: high friction surfacing to carriageways, footway improvements (incl. crossing points), pedestrian barrier and vehicles activated warning signs.
- East Dunbartonshire Council reported that as part of the Councils budget setting process, a significant additional capital commitment of £7.5m was agreed for 2020/21 and beyond to support the need of sustained and increasing investment in the roads network.

This capital allocation supplements previous additional sums from the General Fund Revenue Budget for reactive roads maintenance. Such developments and additional commitments would not have been possible, to this extent, without the contribution from the surpluses generated by decriminalised parking enforcement.

- East Lothian Council reported that the additional income was used to improve passenger facilities at their coastal car parks.
- Glasgow City Council reported that the surplus income is used to assist in the strategic transport management objectives including the expansion of new parking zones and other transport related matters.
- Perth and Kinross Council reported that the income provides investment and maintenance funding for car parks. If it is not utilised in-year, it is held in the Car Park Trading Account.
- Stirling Council reported that the surplus will be used for the provision of additional and revised on-street parking within the Council area.

Further details on how each local authority has spent any surplus generated from DPE in a particular year can be obtained from the local authority concerned.

Glossary

DPE	Decriminalised Parking Enforcement
FPN	Fixed Penalty Notice
LA	Local Authorities
PCN	Penalty Charge Notice



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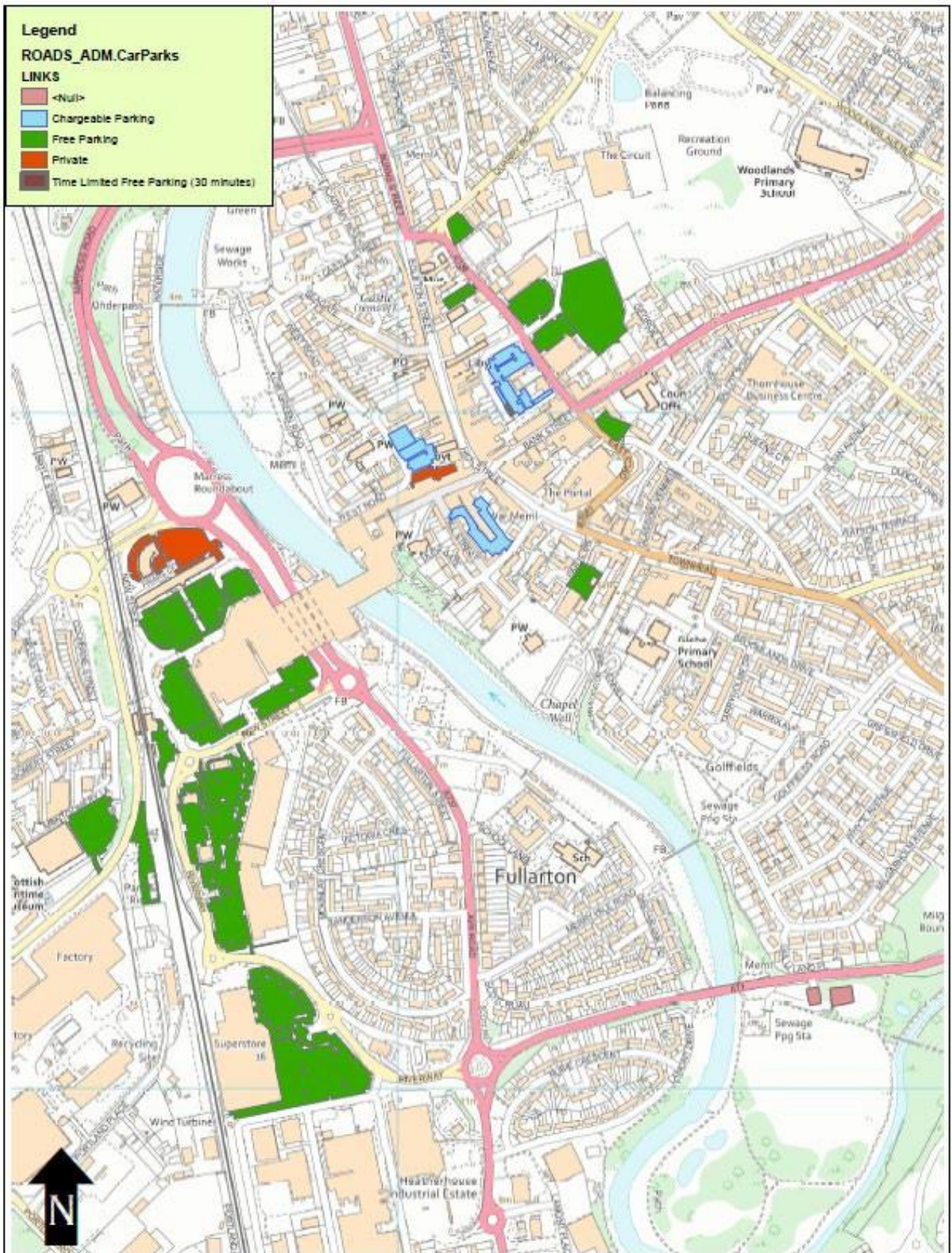


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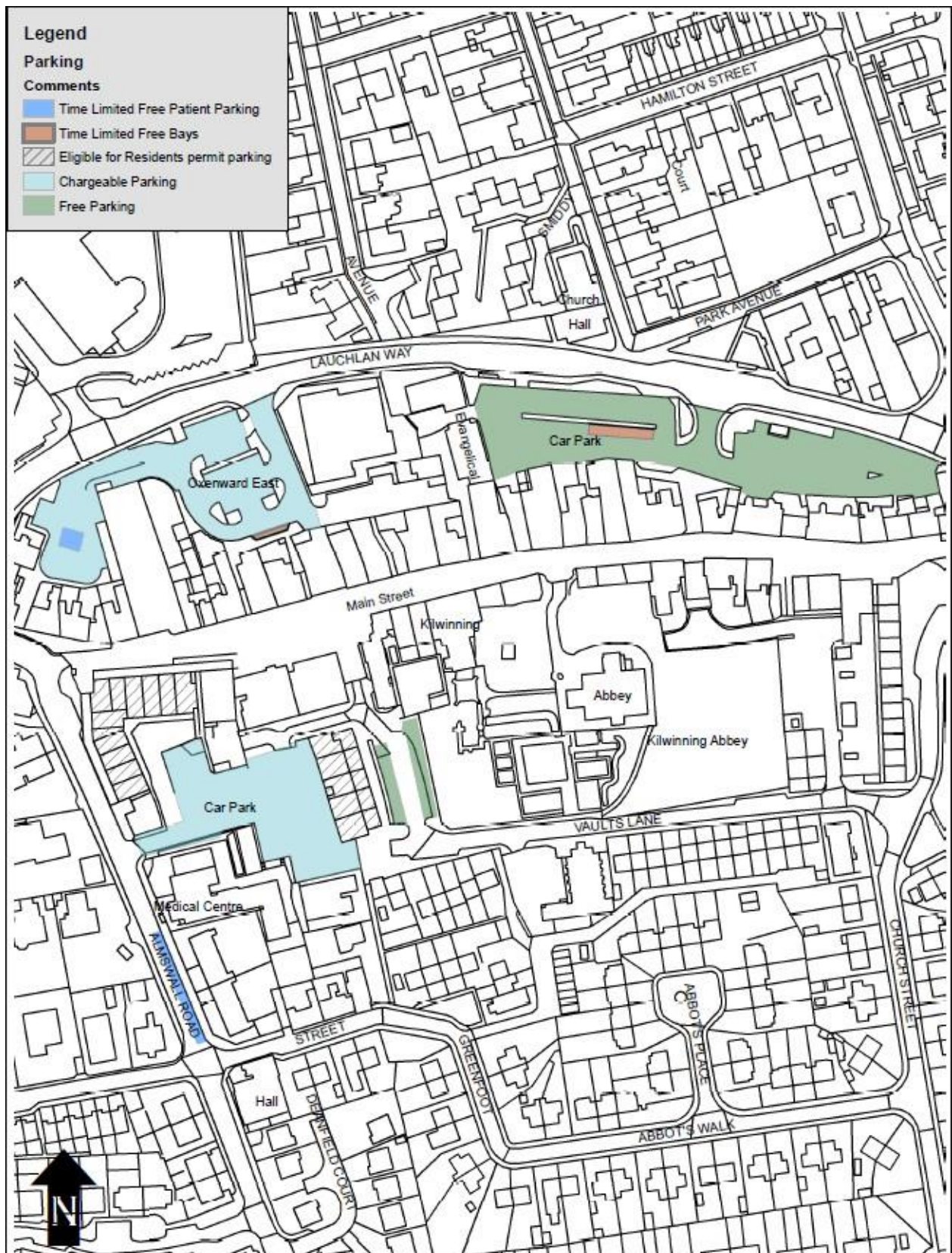


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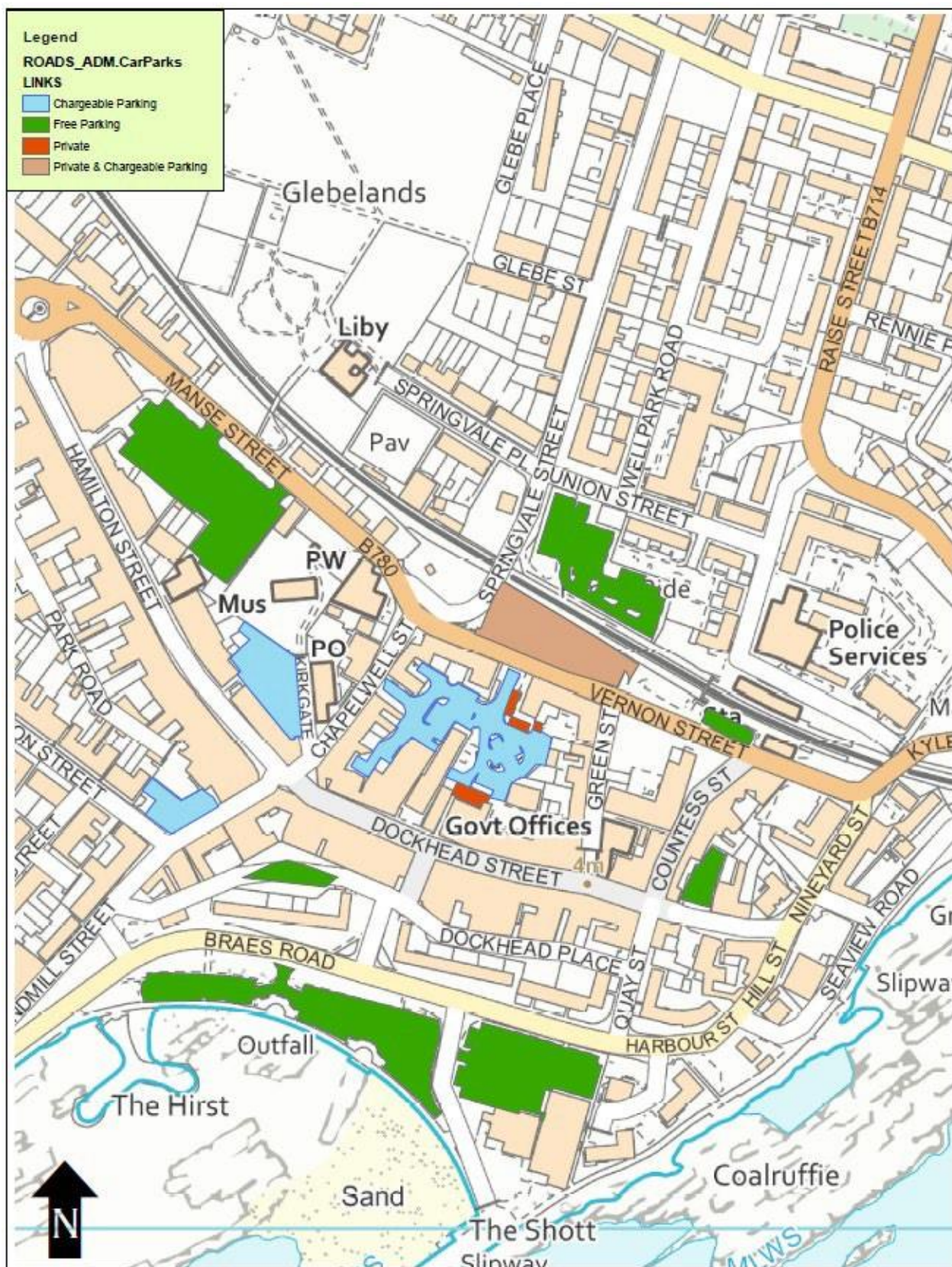
Proposals for Irvine



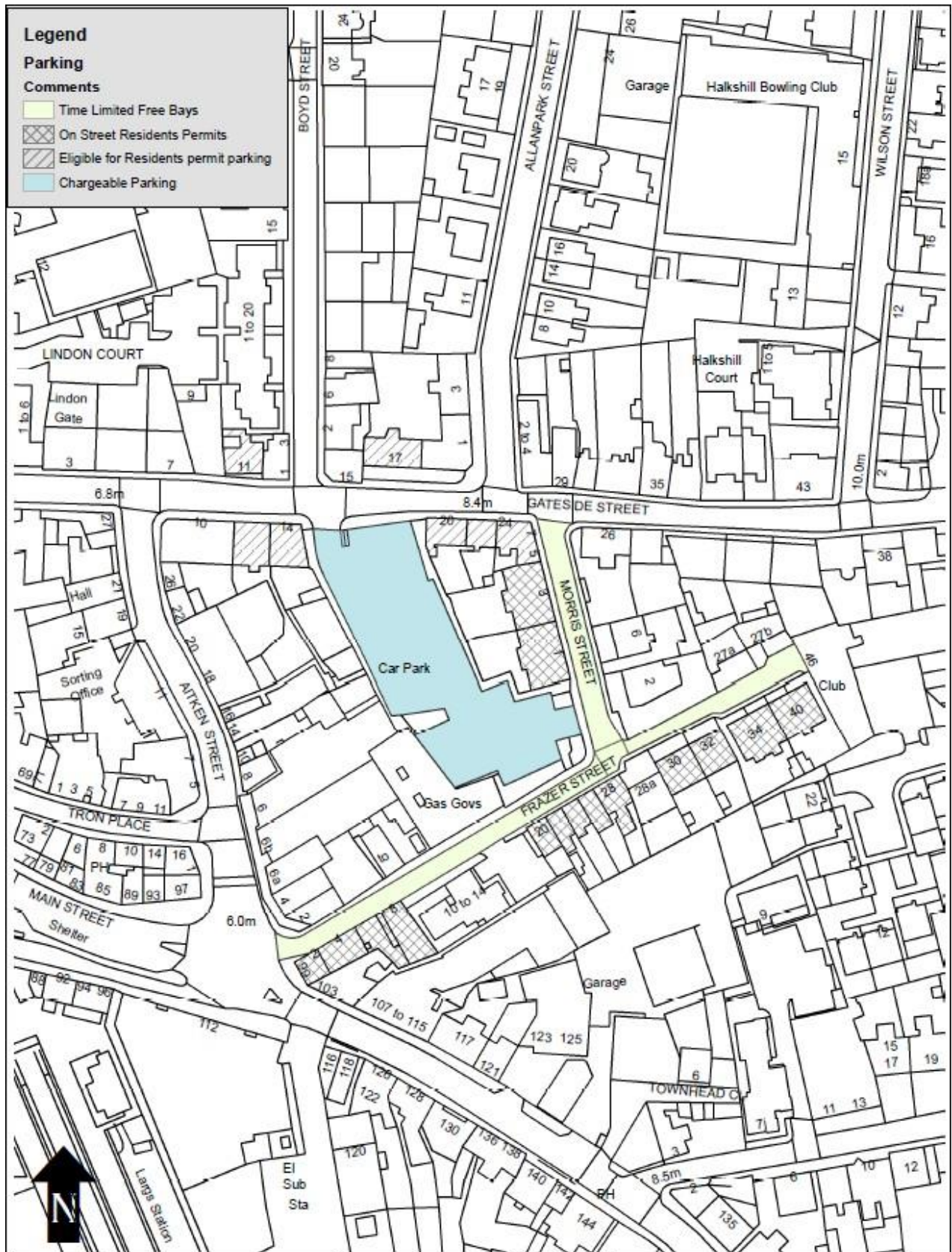
Proposal for Kilwinning



Proposals for Saltcoats



Proposals for Largs



Decriminalised Parking Enforcement (DPE) and Car Parking Charges Financial Options

As per para 2.18 of the report options on the level of parking charges are provided below.

Options are based on:

- i) DPE supported by parking charges as set at the Council Budget meeting in March 2022,
- ii) DPE supported by parking charges. This is set at the lower level of £1 for the first hour with a tariff of £3.50 for between 1 and 4 hours.
- iii) DPE on its own with no car parking charges. Note the estimated operating costs are slightly reduced to reflect there would be no requirement to maintain ticket/pay stations within car parks.

For information an assessment of the provisions of the first hour free parking has been included.

Note: Options are based on an In-house Enforcement Team supported by outsourced back-office administration and processing.

Option 1. DPE plus Car Parking Charges - Tariff as set at Council Budget Meeting in March 2022

1 hour / £1.50 – 2 hours / £2.00 – up to 4 hours / £3.50

Annual Operating Costs	Estimated Income from PCN's	Income from Parking Charges	Net Surplus / Deficit
£506,975	£292,000	£515,119	£300,144

(1st Hour free parking results in a reduction in car parking income of £313,778 resulting in an overall deficit of **-£13,634**)

Option 2. DPE plus Car Parking Charges with a lower charge for up to one hour

1 hour / £1.00 – up to 4 hours / £3.50

Annual Operating Costs	Estimated Income from PCN's	Income from Parking Charges	Net Surplus / Deficit
£506,975	£292,000	£520,349	£305,374

(1st Hour free parking results in a reduction in car parking income of £209,185 resulting in net income of £96,189)

Option 3. DPE only – No Parking Charges

Annual Operating Costs	Estimated Income from PCN's	Income from Parking Charges	Net Surplus / Deficit
£468,301	£292,000	£0	-£176,303

NORTH AYRSHIRE COUNCIL

15 February 2023

North Ayrshire Council

Title:	Committee Timetable: July-December 2023
Purpose:	To invite the Council to consider a timetable of meetings for the period from July until the end of December 2023.
Recommendation:	<p>That the Council agrees:</p> <p>(a) to approve the draft committee timetable set out at Appendix 1, subject to any minor amendments which may be agreed in consultation with the relevant Chair; and</p> <p>(b) to note that arrangements for Locality Partnership meetings and any ad hoc or Special Meetings will be intimated separately to Members.</p>

1. Executive Summary

- 1.1 The Council generally sets a timetable of committee meetings for each calendar year. In September 2022, a timetable for the first half of 2023 was approved and consideration of a proposed timetable for the remainder of 2023 deferred to a later date. A timetable for the second half of 2023 is now attached at Appendix 1.

2. Background

- 2.1 The proposed timetable of meetings set out at Appendix 1 incorporates meetings of the Council, Cabinet and standing committees of the Council, as well as Summer, October and Winter recess periods.
- 2.2 Dates for the Integration Joint Board (and IJB PAC), the Ayrshire Shared Services Joint Committee and Ayrshire Regional Economic Joint Committee (as well as the Partnership Board and Skills Investment Fund Sub-Committee) are agreed that by the IJB and the relevant joint committee, respectively.
- 2.3 The proposed timetable does not include the following meetings which are intimated separately to Members:
- the six Locality Partnerships, which take place in the early evening on a quarterly basis;

- the Local Development Plan Committee, Staffing and Recruitment Committee, Education Appeal Committee and Special Council (Planning), which meet on an ad hoc basis, as required;
- any Special Meetings of the Council and its committees which may be required, including meetings to consider Cabinet Call In requests
- any meetings of the 1st Tier Joint Consultative Committee, which sets its own meetings calendar

3. Proposals

3.1 The Council is invited:

- (a) to approve the draft committee timetable for January – June 2023 set out at Appendix 1, subject to any minor amendments which may be agreed in consultation with the relevant Chair; and
- (b) to note that arrangements for Locality Partnership meetings and any ad hoc or Special Meetings will be intimated separately to Members.

4. Implications/Socio-economic Duty

Financial

4.1 None arising from the recommendations of this report.

Human Resources

4.2 None arising from the recommendations of this report.

Legal

4.3 None arising from the recommendations of this report.

Equality/Socio-economic

4.4 None arising from the recommendations of this report.

Climate Change and Carbon

4.5 None arising from the recommendations of this report.

Key Priorities

4.6 None arising from the recommendations of this report.

Community Wealth Building

4.7 None arising from the recommendations of this report.

5. Consultation

- 5.1 Group Leaders and Independent Members have been consulted on the proposed timetable.
- 5.2 Consultation has also taken place with Services of the Council on the proposed meeting dates. In particular, efforts have been made to ensure that the timing of relevant meetings of the Cabinet, Audit and Scrutiny and Council align as far as possible with accounting period requirements.

Craig Hatton
Chief Executive

For further information please contact **Melanie Anderson, Senior Manager (Committee and Member Services)**, on **01294 324131**

Background Papers

None

Draft Committee Timetable July-December 2023

Meeting Cycle 5

Week Beginning	Week	Monday	Tuesday	Wednesday	Thursday	Friday
3 July						
10 July						
17 July				Summer Recess Period		
24 July						
31 July						
7 August	1			10.00 a.m. Licensing Cttee		
14 August	2	2.00 p.m. Police & Fire & Rescue Committee	10.00 a.m. Policy Advisory Panel			
21 August	3		2.30 p.m. Cabinet Pre-Agenda	2.00 p.m. Planning Committee 2.15 p.m.* Local Review Body	10.00 a.m. Integration Joint Board	
28 August	4		10.00 a.m. Audit & Scrutiny Pre-Agenda 2.30 p.m. Cabinet (Education)		10.00 a.m. Appeals Committee (if required)	10.00 a.m. IJB Performance & Audit 10.00 a.m. Ayrshire Shared Services Joint Committee
4 September	5		10 a.m. Audit & Scrutiny	10.00 a.m. Licensing Cttee	1.00 p.m. Ayrshire Economic Partnership Board	
11 September	6	2.00 p.m. Council Pre-Meeting (Provost & Group Leaders)		2.00 p.m. Council		

Meeting Cycle 6

Week Beginning	Week	Monday	Tuesday	Wednesday	Thursday	Friday
18 September	1	Public Holiday	10.00 a.m. Special Audit & Scrutiny Pre-Agenda 2.30 p.m. Cabinet Pre-Agenda	2.00 p.m. Planning Committee 2.15 p.m.* Local Review Body	10.00 a.m. Integration Joint Board	
25 September	2		10.00 a.m. Special Audit & Scrutiny 2.30 p.m. Cabinet			
2 October	3	2.00 p.m. Ayrshire Regional Economic Joint		10.00 a.m. Licensing Cttee	10.00 a.m. Appeals Committee (if required)	
9 October	4				10.00 a.m. Integration Joint Board	
16 October	4			October Recess		
23 October	5			2.00 p.m. Planning Committee 2.15 p.m.* Local Review Body		
30 October	6	2.00 p.m. Council Pre-Meeting (Provost & Group Leaders)	2.30 p.m. Cabinet Pre-Agenda	2.00 p.m. Council	2.00 p.m. Ayrshire Economic Partnership Board	10.00 a.m. Ayrshire Shared Services Joint Committee

Meeting Cycle 7.

Week Beginning	Week	Monday	Tuesday	Wednesday	Thursday	Friday
6 November	1		10.00 a.m. Audit & Scrutiny Pre-Agenda 2.30 p.m. Cabinet (Education)	10.00 a.m. Licensing Cttee	10.00 a.m. Appeals Committee (if required)	
13 November	2	2.00 p.m. Police & Fire & Rescue Committee	10.00 a.m. Audit & Scrutiny		10.00 a.m. Integration Joint Board 1.00 p.m. Ayrshire Economic Partnership Board	
20 November	3	2.00 p.m. Ayrshire Regional Economic Joint Cttee	10.00 a.m. Policy Advisory Panel	2.00 p.m. Planning Committee 2.15 p.m.* Local Review Body		10.00 a.m. IJB Performance & Audit
27 November	4		2.30 p.m. Cabinet Pre-Agenda			10.00 a.m. Ayrshire Shared Services Joint Committee
4 December	5		2.30 p.m. Cabinet	10.00 a.m. Licensing Cttee		
11 December	6	2.00 p.m. Council Pre-Meeting (Provost & Group Leaders)		2.00 p.m. Council	10.00 a.m. Integration Joint Board	
18 December				Winter Recess		
25 December						

Notes

Integration Joint Board and IJB Performance and Audit Committee dates have been approved separately by the IJB. Likewise, dates for the Ayrshire Shared Services Committee, Ayrshire Regional Economic Joint Committee and Ayrshire Economic Partnership Board have been set by those bodies.

The draft timetable does not include the meetings of the following, which are convened on an ad hoc basis, as required:

Education Appeals Committee
Local Development Plan Committee
Staffing and Recruitment Committee

North Ayrshire Council

Title: **Housing Revenue Account (HRA) Capital Investment Programme, Revenue Budget and Rent Levels for 2023/24**

Purpose: To seek approval of the proposed HRA capital investment programme and revenue budget for 2023/24 and the consequential rent levels.

Recommendation: That the Council agrees to:

- (i) approve the HRA capital investment programme for 2023/24, as detailed in Appendix 1;
- (ii) approve the HRA revenue budget for 2023/23, as detailed in Appendix 2;
- (iii) approve an average rent increase of £4.99 per week for council houses in 2023/24 (equivalent to 6.42%);
- (iv) note the indicative rent increases of 6.03% for 2024/25 and 4.29% for the remaining 28 years of the Business Plan;
- (v) approve a 5% increase to garage sites/lock-ups, service charges and gypsy/travellers site fees in line with general fund increase for sales, fees and charges.

1. Executive Summary

- 1.1 Section 203 of the Housing (Scotland) Act 1987 includes a requirement for local authorities to maintain a Housing Revenue Account (HRA) to record all income and expenditure related to their direct provision of housing. Councils must estimate, annually, the amounts to be debited or credited to the account, through setting a budget, which is returned to the Scottish Government and published annually.
- 1.2 At the Council meeting on 16 February 2022, members considered housing rent levels for the three years to 2024/25. Members approved an increase of 2.50% for 2022/23 and noted indicative rent increases of 4.0% for both 2023/24 and 2024/25.
- 1.3 An extensive review of the HRA 30-year Business Plan was carried out during 2022 to assess the factors expected to impact on the HRA budget in 2023/24 and beyond. As a direct result of the current economic climate, the HRA budget is facing significant

affordability challenges:

- significantly higher costs for maintaining and improving our existing stock due to higher prices for contractors and materials
- increased interest rates linked to borrowing costs to fund future capital projects, including the delivery of 1,625 new social housing by 31 March 2028
- rising inflation affecting other running costs
- reduced rental income/ increased rent arrears

1.4 In order to meet the affordable challenges noted in paragraph 1.3, whilst still delivering the Business Plan priorities approved in February 2022, rents would have to increase by 22.6% in 2023/24 instead of the 4.0% previously indicated. This is the equivalent of an extra £17.73 per week, based on the average rent in the current year of £77.76. This level of increase is not affordable to most of our tenants; a significant amount of work has therefore been done to ensure the rent level options for 2023/24 are as low as possible, while maintaining key Business Plan priorities.

1.5 A comprehensive review of the HRA budget was undertaken in the second half of 2022, with the following actions taken:

- general efficiencies made across all areas of the housing budget. These savings will not have any impact on the current service that is provided to tenants
- merging of the previous budgets for sub-divisional fencing (£0.189m) and infrastructure improvements (£0.337m) with a combined budget of £0.250m for 2023/24
- removal of the door replacement programme previously included in the capital programme, saving £57m. Doors will instead be replaced based on condition, with the annual revenue budget increased from £0.300m to £0.700m
- kitchen lifecycle replacement extended from 20 to 22 years and bathroom lifecycle replacement extended from 25 to 27 years, with tenants given the option to retain existing lifecycles by choosing a higher rent increase (options 2 & 3)
- removal of the Tenant-led Budget of £0.216m, with tenants given the option to retain this fund by choosing a higher rent increase (option 3)

These measures were identified to help to keep the rent increase for 2023/24 and future years as low as possible and minimise the financial impact on our tenants whilst, importantly, continuing to build new social housing to meet recognised demand.

1.6 These changes, alongside other updates to Business Plan financial estimates, have resulted in capital and revenue budgets being set which deliver:

- a capital investment programme which maintains the Scottish Housing Quality Standard, incorporating the Energy Efficiency Standard for Social Housing (EESH) and working towards the future requirements of EESH2. EESH2 is currently an unfunded priority for Scottish Government, and whilst the Business Plan includes an allowance to achieve the standard, every effort will be made by officers to ensure the Council accesses all available external funding to support the improvement programme and reduce the financial burden on tenants

- £124.9m investment to tackle climate change and achieve a net-zero housing stock, supporting our tenants with new energy efficient technologies
- £84.773m investment through the Council's new housebuilding programme, with a further 196 new build houses expected by 31 March 2024. This will take the total new builds to 885 units and support the delivery of 1,625 units of new build housing by the end of the Strategic Housing Investment Plan 2023-2028
- £18.591m of property-related revenue expenditure
- continuation of the £10m Estate Based Regeneration Programme to 2028/29 to address pockets of low demand stock; antisocial behaviour; external appearance; parking provision; road and footpath condition; fencing; landscaping; and general grounds maintenance issues
- continuation of the £25m Sheltered Housing Reprovisioning Programme to 2025/26 by refurbishing 11 sheltered housing complexes containing 238 properties.

- 1.7 In order to meet these commitments, it is proposed to increase rents for council houses in 2023/24 by an average of £4.99 per week (equivalent to 6.42%). This is 2.42% more than the 4.00% proposed for 2023/24 was reported last year in the HRA 30-year Business Plan. This increase is required to address the impact of high levels of inflation whilst protecting the levels of investment in the housing stock. Tenants have been consulted on the proposed rent levels included within this report.
- 1.8 A summary of the anticipated level of earmarked and unearmarked reserves is provided at paragraph 2.28. The HRA revenue budgetary control report to 30 November 2022, submitted to the Cabinet meeting of 24 January 2023, projected that the HRA will have reserves of £15.281m at the end of the financial year, of which £1.598m is unearmarked. This equates to 2.8% of revenue expenditure, which is within the recommended range of 2% to 4%. This approach is in line with CIPFA recommended practice as set out in the document 'Local Authority Reserves and Balances'.
- 1.9 Support with housing costs is available to households with lower incomes through Housing Benefit and Universal Credit. Housing staff will continue to work closely with our tenants to offer advice, assistance and referrals to other services to any tenants who are experiencing financial difficulties. Further details are noted in paragraph 2.21.
- 1.10 Full details of the proposed capital and revenue budgets are contained in Appendix 1 and Appendix 2 respectively.

2. Background

- 2.1 Section 203 of the Housing (Scotland) Act 1987 includes a requirement for local authorities to maintain a Housing Revenue Account (HRA) to record all income and expenditure related to their direct provision of housing. Councils must estimate, annually, the amounts to be debited or credited to the account, through setting a budget, which is returned to the Scottish Government and published annually.

- 2.2 The Scottish Social Housing Charter sets the standards and outcomes that all social landlords should aim to achieve when performing their housing activities. The following outcomes and standards are relevant to this report:

2: Communication

Tenants and other customers find it easy to communicate with their landlord and get the information they need about their landlord, how and why it makes decisions and the services it provides.

3: Participation

Tenants and other customers are offered a range of opportunities that make it easy for them to participate in and influence their landlord's decisions at a level they feel comfortable with.

13: Value for Money

Tenants, owners, and other customers receive services that provide continually improving value for the rent and other charges they pay.

14/15: Rents and Service Charges

A balance is struck between the level of services provided, the cost of the services, and how far current and prospective tenants and service users can afford them.

Tenants get clear information on how rent and other money is spent, including details of any individual items of expenditure above thresholds agreed between landlords and tenants.

- 2.3 At the Council meeting on 16 February 2022, members considered housing rent levels for the three years to 2024/25. Members approved an increase of 2.50% for 2022/23 and noted indicative rent increases of 4.0% for 2023/24 and 4.0% for 2024/25.
- 2.4 A comprehensive review of the HRA Business Plan financial model was undertaken during 2022. The Plan provides assurance of the financial sustainability of the management of the Council's housing stock over a 30-year period. The following factors were included in the review, taking into consideration the continued impact of the current economic climate noted in paragraph 1.3 above on the provision of the Council's Housing Service and its tenants:
- Asset management
 - Revenue expenditure
 - Rent affordability
 - Stakeholder management
 - Value for money
 - Treasury management
 - Risk management

National Context

- 2.5 Due to concerns about the impact of the cost-of-living crisis on housing tenants in all sectors, on 6 September 2022 the Scottish Government announced a freeze on social

and private sector housing rent levels until 31 March 2023. The Cost of Living (Tenant Protection) (Scotland) Act 2022 was passed by the Scottish Parliament on 6 October 2022 and received Royal Assent on 27 October 2022. It gave the Scottish Government temporary power to cap rents for private and social tenants. The Act also included a moratorium on evictions. The freeze on rent increases for current tenancies was set at 0% for the period from 6 September 2022 until 31 March 2023 and included powers for the Scottish Government to extend rent controls for two further six-month periods.

- 2.6 COSLA issued a Statement of Intent on 25 November 2022 which advised that "in recognition of the cost-of-living crisis, Scotland's Council Leaders, as providers of social housing and Gypsy/Traveller pitch or site provision, have committed to keeping the rental and fee increases to an average of less than £5 a week across the country in the next financial year."
- 2.7 Patrick Harvie MSP, Minister for Zero Carbon Buildings, Active Travel and Tenants' Rights announced on 21 December 2022 that an agreed alternative to the continuation of the rent cap in the social rented sector had been reached. The first statutory report on the Cost of Living (Tenant Protection) Act 2022, on 12 January 2023, formally confirmed the Scottish Government's intentions to expire the social rented sector rent cap provisions from March 2023. This was a result of discussions between the Scottish Government and a range of social rented sector organisations and landlord representative bodies. Following discussions, it was demonstrated that no social landlord was consulting on a rent increase at or above CPI inflation, which was 11.1% at the time of the data being collected.

Asset Management

- 2.8 A strategic approach to asset management has been adopted, ensuring consistency between the 30-year HRA Business Plan and the Housing Asset Management Plan (HAMP).

The Council uses condition information to inform financial planning and implementation of investment programmes. This information is gathered and updated regularly and is retained within our electronic asset management system Apex. This ensures resources are used effectively to maintain the quality of our stock and reduces the risk of longer-term inefficiencies. This is also key to addressing health and safety responsibilities and changes to statutory compliance requirements, for example through smoke detection and periodic electrical testing programmes.

We have also reviewed our approach to the presence of dampness and mould in tenants' homes to ensure we continue to deliver an appropriate response where dampness and mould is reported.

The stock condition information also allows the Council to report on overall quality of our housing provision and forms a key part of our Scottish Housing Quality Standard (SHQS) return to the Scottish Government.

The HAMP will be refreshed during 2023/24 and will capture the current economic

challenges being faced, ensure statutory compliance is being met and provide a renewed approach to asset management to ensure delivery of our sustainability commitments and delivery of the Scottish Government's Housing to 2040 strategy.

Capital Programme

2.9 The £172.316m investment in the proposed 2023/24 HRA Capital Programme is detailed in Appendix 1. The programme will be funded by a combination of Capital Funded from Current Revenue (CFCR), government grants, prudential borrowing, reserves, and contributions towards the new build programme from the Affordable Housing Account.

2.10 The capital programme will result in major repairs and improvement works to the housing stock in 2023/24, including:

Programme	No. of properties	
	2022/23 projected completions	2023/24
Roofing and/or rendering	508	182
Solar PV	474	627
Insulated rendering	173	30
Electrical rewiring	104	295
New kitchens	350	549
Heating upgrades	215	868
New bathrooms	279	340
Window replacement	94	62

2.11 The door replacement programme was due to commence during 2021/22 but was delayed due to issues in procuring a contractor. The door replacement programme has been removed from the capital programme and has been replaced with a revenue workstream based on assessed need, which will commence in 2023/24.

2.12 The capital programme includes investment to ensure the Council continues to meet the Scottish Housing Quality Standard (SHQS), including the Energy Efficiency Standard for Social Housing 2 (ESSH2). The revised Business Plan includes £124.9m investment over 30 years to tackle climate change and achieve a net-zero housing stock. ESSH2 is currently an unfunded priority for Scottish Government, and whilst the Business Plan includes an allowance to achieve the standard, every effort will be made by officers to ensure the Council accesses all available external funding to support the improvement programme and reduce the financial burden on tenants.

2.13 COSLA continues discussions with the Scottish Government on shared ambitions across political parties and between councillors and members of the Scottish Parliament. Some of the key topics include maintaining and improving existing stock, ESSH2 and new build targets. Any changes to funding models, grant subsidies and

timelines will be reflected in future updates of the Business Plan.

Strategic Housing Investment Plan

- 2.14 The revised Business Plan reflects the Council's commitment to deliver a comprehensive new build programme, with a variety of house types as well as significant investment in housing for older people and tenants with additional needs. The Council and its RSL partners have been monitoring the impact of the current economic climate on the SHIP. There is clear evidence of both time and financial impacts, due to national labour and material shortages and an increase in material costs. Details of Council developments completing during 2022/23 are shown below:

Project	Number of Units	Status in 2022/23
Brathwic Terrace, Arran	34	Completion achieved in June 2022
St Michael's Wynd, Kilwinning	79	Completion achieved in September 2022
St Colm's Place, Largs	29	Completion achieved in September 2022
Caley Court, Stevenston	16	Completion anticipated in early 2023
Harbourside, Irvine	71	27 of 71 units complete as at 23/12/2022 with full completion anticipated by 31 March 2023
Total	229	

Details of the full Council house build programme can be found in the Strategic Housing Investment Plan 2023-2028, which was approved by Cabinet on 1 November 2022. A total of 1,625 new homes are targeted for completion by the Council by 31 March 2028, of which 807 (49.7%) were completed by 23 December 2022.

- 2.15 Following the success of previous years, funding will be available to continue investment in purchasing ex-local authority houses and empty homes. Acquiring these types of properties will help to address both asset management and estate management issues, as well as increasing the Council's stock numbers. Two of our RSLs have also included buybacks as part of their future SHIP commitment.

Other Capital Projects

- 2.16 The Sheltered Housing Reprovisioning Programme continues to be implemented. Refurbishment work at Friars Lawn, Kilwinning (22 units) and the new sheltered housing complex at St Colm's Place, Largs (29 units) and St Michael's Wynd, Kilwinning (24 units) completed during 2022/23. Completion of these projects results in over 50% of the Council's sheltered housing complexes being either new build or refurbished. The new complex at Irvine Harbourside is due for completion during March 2023, providing a further 28 sheltered units. A budget of £25m over five years was approved in 2021/22 to refurbish a further 11 sheltered housing complexes. Works will commence in 2023/24 to refurbish Barnett Court, Saltcoats and Cheviot Court, Irvine in the next phase of the programme.

Revenue Expenditure

- 2.17 The proposed 2023/24 HRA Revenue Budget is outlined in Appendix 2. Planned expenditure of £57.967m will predominantly be funded by tenants' rental income and charges for services.
- 2.18 The Revenue Budget includes funding of £18.506m for property-related expenditure in 2023/24. This expenditure will assist the Council in maintaining its cyclical and responsive maintenance requirements.

Rent Affordability

Rent Increase

- 2.19 In order to meet the investment requirements of the 30-year Business Plan, including maintaining the Scottish Housing Quality Standard (SHQS) and working towards the new Energy Efficiency Standard for Social Housing 2 (ESSH2), delivering the Council house building programme and continuing to deliver customer-focused support services, it is proposed to increase rents for council houses in 2023/24 by an average of £4.99 per week (equivalent to 6.42%). The Business Plan indicates anticipated rent increases of 6.03% for 2024/25 and 4.29% for the remaining 28 years of the Business Plan.
- 2.20 The Council's average weekly rent is below the Scottish average local authority rent for 2022/23 (Council average is £77.76 compared to the Scottish average of £81.05). The proposed rent increase for 2023/24 is expected to maintain the Council's position below the Scottish average. The Council's current average rent is also significantly lower than the average for registered social landlords within North Ayrshire, as detailed in the table below:

	Average Rent 2022/23 (indicative)
East Ayrshire Council	£76.66
North Ayrshire Council	£77.76
South Ayrshire Council	£79.49
Scottish local authority average	£81.05
ANCHO	£87.65
Scottish RSL average	£94.46
Riverside Scotland (formerly Irvine Housing Association)	£95.15
Cunninghame Housing Association	£96.77

N.B. The Scottish Housing Regulator changed the method used to collect the data for average weekly rents in 2020, therefore figures may not match other data sources due to differing methods of data collection.

- 2.21 Support with housing costs is available to households with lower incomes through Housing Benefit and Universal Credit. At present, 38% of tenants are in receipt of full benefit entitlement for housing costs, 25% are in receipt of partial benefit entitlement and pay some rent and 37% of tenants have no benefit entitlement and pay full rent. Housing staff offer advice and assistance to any tenants who are experiencing financial

difficulties. Staff also signpost or refer tenants for other services such as welfare benefits advice, income maximisation, budgeting, debt advice, tenancy support and other support services.

Stakeholder Management

- 2.22 The Housing (Scotland) Act 2001 requires councils to consult with tenants and have regard to the views expressed prior to setting rents.
- 2.23 In preparing the HRA budget for 2023/24, three options for rent increases were identified by Officers and presented to Elected Members, the Housing Business Plan Group and the Tenants and Residents Network at the beginning of December 2022. The options were subsequently included in the tenant consultation exercise which took place between 12 December 2022 and 22 January 2023, namely, to increase rents by either an average increase of £4.99, £5.25 or £5.45 per week, for 2023/24. The higher increases reflected options to retain lifecycle replacement of kitchens and bathrooms at 20 years and 25 years respectively and retain investment of £0.216m in the Tenant-led Budget. Further information on the options considered is included within the Rent Level Options form at Appendix 3.
- 2.24 A total of 1,121 responses were received - a response rate of 8.80%. This is the highest response to a rent consultation by North Ayrshire Council to date. Responses received from the tenants' consultation indicated a 73.51% preference for 'Option 1', an average rent increase of £4.99 per week for 2023/24. There was a 12.84% preference for 'Option 2' an average rent increase of £5.25 per week and a 13.65% preference for 'Option 3' an average rent increase of £5.45 for 2023/24. Tenants were invited to respond by completing an electronic form. A letter was issued to all tenants, emails and SMS messages were sent, posts were added social media channels, adverts were placed in the local press, posters were placed in key locations and tenants were supported to complete the consultation if calling or visiting offices. Housing Services staff also held local drop in events to assist tenants to complete the consultation.

Value for Money

- 2.25 Scotland's Housing Network benchmarks the Scottish Social Housing Charter outcome results of Scottish councils, including areas such as housing management performance, repairs and customer satisfaction and value for money. The Network recently confirmed that North Ayrshire Council remains a high performer amongst local authority members, both in terms of level of service and value for money.
- 2.26 During the Tenant Satisfaction Survey completed in summer 2021, 89.47% of tenants agreed that the rent charge for their property represented good value for money.
- 2.27 The indicative average rent increases for 2024/25 would be 6.03%. From 2025/26 onwards the indicative increase would be 4.29% each year for the remaining years of our 30-year plan.

- 2.28 The Council continues to explore opportunities for operational and management efficiencies and reflect any savings identified in the HRA budget to ensure future years rent level increases are kept as low as possible. Work will be undertaken throughout 2023/24 to explore options to bring future years rent increases in line with projected inflation levels.

Treasury Management

- 2.29 The Prudential Code for Capital Finance in Local Authorities requires Councils to demonstrate that capital investment programmes and the level required to be funded by borrowing are affordable, prudent, and sustainable. The Key Performance Indicator which demonstrates this is the ratio of financing costs to the net revenue stream. For 2021/22 the Council's ratio was 18.7% compared to the Scottish average of 25.5%. The estimated indicators for the next 3 years are shown below. The rising ratio is indicative of the significant capital investment programme as outlined in the Strategic Housing Investment Plan and work to maintain SHQS and achieve the Energy Efficiency Standard for Social Housing 2 (ESSH2). The financing costs are considered prudent and affordable within the 30-year HRA Business Plan.

Proportion of financing costs to net revenue stream	2022/23 Estimate %	2023/24 Estimate %	2024/25 Estimate %
HRA	23.6%	32.0%	38.6%

Revenue and Capital Balances

- 2.30 The HRA revenue budgetary control report to 30 November 2022 submitted to the Cabinet meeting of 24 January 2023 advised Members of a projected HRA balance of £15.281m at 31 March 2023. This includes an unearmarked balance of £1.598m, which equates to 2.8% of revenue expenditure. Analysis of the HRA balances is shown in the table below.

	Balance at 31 March 2022	Funding of Capital Projects	Earmarking of in year surplus	Projected Balance at 31 March 2023
	£m	£m	£m	£m
HRA Not Earmarked	0.781	-	0.817	1.598
HRA Earmarked				
Council House Building Fund (to support Council house building)	5.279	(1.151)	-	4.128
Major refurbishment works (to support capital investment programmes)	0.052	-	-	0.052
Sustainability Fund (to support energy efficiency measures)	5.000	-	-	5.000
Void bathrooms and kitchens (installation of bathrooms and kitchens in	1.558	-	-	1.558

voids)				
Infrastructure Improvements (improvements to infrastructure in existing estates)	0.416	-	-	0.416
Electrical testing (to support implementation of new legislative duties)	0.270	-	-	0.270
Tenant-led budget (to support improvements identified by tenants in existing estates)	0.636	-	-	0.636
Software licences (development of existing IT systems)	0.123	-	-	0.123
Welfare Reform (to mitigate the impact of Welfare Reforms)	1.500	-	-	1.500
Total Earmarked Fund	14.834	(1.151)	-	13.683
Total HRA Balance	15.615	(1.151)	0.817	15.281

Risk Management

- 2.31 In developing the HRA Business Plan, the risk landscape was reviewed to determine major/strategic risks and ensure effective mitigation is in place. The Council has an effective system of internal control which is subject to regular review by our internal and external audit functions and regulatory authorities. The following major/strategic risks were considered:

Access to expertise and materials

- 2.32 The challenges faced due to the current economic climate have resulted in increased difficulty for landlords in accessing the materials and expertise required to perform some landlord functions, particularly in relation to property construction and maintenance. The impact on the Council's Housing Asset Management Plan, Strategic Housing Investment Plan and repairs service is continually assessed to ensure delivery remains viable and any mitigation required can be actioned at the earliest opportunity.

Stock quality and decarbonisation

- 2.33 The Scottish Government's 'Housing to 2040' strategy sets out their ambitions for housing's contribution in tackling climate change. This includes standards such as EESSH2 and ambitions for zero emissions new build housing by 2026.
- 2.34 Provision has been made within the HRA Business Plan for investment to achieve EESSH2 by 2032 within the Council's housing stock or make properties as energy efficient as practically possible. The Scottish Government is currently reviewing the EESSH2 standard and plan to publish the outcome during 2023, which may include a revised timeline. Any changes to funding models, grant subsidies and timelines would be reflected in future updates of the Business Plan.
- 2.35 Measures are in place to develop an 'Energy Strategy' for each new build Council housing development to maximise sustainability measures and minimise carbon

emissions and fuel poverty. Provision has been made within the HRA Business Plan to reflect this.

- 2.36 It is anticipated that the de-carbonisation of heating infrastructure will result in the phasing out of natural gas fired heating. This will present a challenge to ensure that replacement infrastructure and systems are both low-carbon and affordable for tenants to run. In order to inform the de-carbonisation of our existing estate, we are at the early stages of identifying properties to form part of a pilot project. This will be progressed on a “fabric-first” basis and reflect best practice in adaptation of existing properties.
- 2.37 Building Standards are constantly evolving, reflecting the need for new homes to be more sustainable in construction and use. It is anticipated that by 2024 these regulations will align with the “Passivhaus” standard. This standard demands an increased level of design and construction quality and, where achieved, significantly decreases in-use energy. However, increasing quality standards inevitably lead to higher capital costs. Financial planning will be undertaken as part of the business planning process to reflect these increasing costs.

Tenant safety

- 2.38 The Council has established procedures to ensure compliance with statutory duties and responsibilities in relation to tenant safety. Regular assessment and assurance are undertaken to ensure the necessary training, skills, experience, and knowledge are in place.
- 2.39 In 2021/22 the Council did not comply with gas safety requirements for 360 properties. Due to new legislation introduced during 2021/22 regarding electrical testing and smoke detection equipment, 6,090 properties were non-compliant with regards to having an EICR and 735 for not having the new smoke detection equipment installed. Labour shortages within the electrical industry continue to affect the testing programme alongside access issues. To address this, the Council have procured an additional contract (in addition to our own Building Services and externally procured rewiring contract) to assist with the delivery of these programmes.

Following the pandemic, engagement with some tenants to gain access to their property to undertake essential maintenance and statutory compliance is becoming increasingly difficult. This has led to a significant increase in the requirement to gain access through the Council’s access policy, placing a huge resource burden on the affected teams. Housing and Property Management and Investment are liaising to establish how this change in tenant behaviour can be addressed.

In line with regulatory requirements a projected non-compliance has been reported to the Scottish Housing Regulator on 23 January 2023 advising projected pass rates up to 31 March 2023 as follows:

Statutory compliance	% properties compliant at 31 Dec 2022	% properties projected to be compliant at 31 March 2023
Electrical testing	55.9%	64.4%
Gas servicing	99.2%	99.2%
Smoke detection	96.3%	98.5%

Rent affordability

- 2.40 The current economic climate presents an increased challenge to keep rents affordable, with notable risks including rapidly increasing energy costs, inflation and increasing interest rates.
- 2.41 Benchmarking of rent levels is undertaken annually, alongside national conversations regarding proposed increases. Rent levels are monitored to assure they are lower than Local Housing Allowance rates. Housing staff offer advice and assistance to any tenants who are experiencing financial difficulties. Housing Services also invest in resources specifically focused on welfare reforms and welfare/benefits and debt advice, to maximise tenants' income and support households experiencing financial difficulties.

Achieving value for money

- 2.42 Within the review of the HRA Business Plan, inflation has been estimated using forecasts for the appropriate indices. Alongside this, service delivery costs are benchmarked, and a competitive tendering process is undertaken for fixed term contracts.

Income management

- 2.43 Rent arrears and voids are monitored through a performance management framework, and in the context of changes in the welfare system. Stress testing against falls in rental income is undertaken to identify mitigations necessary.
- 2.44 The percentage of total rent collected compared to rent due increased last year. The percentage of rent due not collected through homes being empty in the last year has remained relatively consistent.

Indicator	2021/22	2020/21	2019/20	2018/19
Percentage of total rent collected compared to rent due	99.0%	97.3%	99.2%	100.3%
Percentage of rent due not collected through homes being empty in the last year	0.5%	0.5%	0.6%	0.5%

- 2.45 The Scottish Housing Regulator has acknowledged that rent arrears across the sector have increased. This is in part due to the continuing impact of Covid-19 pandemic, some tenants not paying rent due to emergency legislation that prevented evictions, and the current economic environment. North Ayrshire Council, like other landlords, has been impacted by rent arrears increasing.

Percentage gross rent arrears of rent due	2021/22	2020/21	2019/20
Scottish average	6.34%	6.14%	5.81%
North Ayrshire Council	6.63%	5.46%	3.65%

2.46 Universal Credit full migration, which commenced as a pilot in 2019, is expected to conclude in 2025 for most people, however full migration will take until 2028. In 2021/22 the number of tenants claiming Universal Credit reduced by 417 compared to the previous year. 2,731 (69.2%) of the 3,946 tenants claiming Universal Credit at 2021/22 year end were in arrears, with an average debt of £609.78, an increase of 59.7% in average debt from 2020/21. The updated HRA Business Plan continues to include investment to support tenants in accessing benefits, maximising income, and minimising arrears. In addition, £1.5m continues to be earmarked within the HRA as a contingency to manage the impact of Welfare Reform.

Data accuracy

2.47 Robust processes are in place to ensure data accuracy. The Business Improvement Team provides system expertise within the Service, and improved system housekeeping measures are in development. A review of the Housing Performance Management System is currently underway and includes arrangements around data validation and auditing. The Council's internal and external auditing arrangements are also utilised to review data accuracy. This ensures decisions are based on good quality data.

Treasury Management

2.48 The Council has a clear strategy reflecting risk management and the wider operating environment. Section 2.29 details the financing costs, which are considered prudent and affordable within the 30-year HRA Business Plan.

Fraud

2.49 There are effective risk management arrangements and procedures in place to minimise the risks of any attempts at fraud from being successful. The Council also takes part in the National Fraud Initiative to prevent and detect fraud.

3. Proposals

3.1 That the Council agrees to:

- (i) approve the HRA capital investment programme for 2023/24, as detailed in Appendix 1;
- (ii) approve the HRA revenue budget for 2023/23, as detailed in Appendix 2;
- (iii) approve an average rent increase of £4.99 per week for council houses in 2023/24 (equivalent to 6.42%);
- (iv) note the indicative rent increases of 6.03% for 2024/25 and 4.29% for the remaining 28 years of the Business Plan;
- (v) approve a 5% increase to garage sites/lock-ups, service charges and gypsy/travellers site fees in line with general fund increase for sales, fees and charges.

4. Implications/Socio-economic Duty

Financial

- 4.1 The proposed average rent increase of £4.99 per week in 2023/24 will support continued investment in the Council's housing stock, with total planned revenue expenditure of £57.967m. This includes CFCR of £5.151m to support a capital programme totalling £172.316m in 2023/24.

Human Resources

- 4.2 None

Legal

- 4.3 The Council has consulted with tenants on the proposed rent increases in line with the legal requirement to do so.

Equality/Socio-economic

- 4.4 The investment proposals outlined in the report will ensure the housing stock continues to support the needs of our tenants, including those with accessibility issues due to age or disability.
- 4.5 The investment in our properties to provide safer, warmer, and more fuel-efficient homes will support improvements in the health and wellbeing of all our tenants, including young people and families.
- 4.6 Impact assessments were carried out to ascertain the percentage of tenants on full or partial benefits who will receive support towards payment of their rent. For those who are entitled to support, 38% have full entitlement and 25% have partial entitlement. Entitlements for support with housing costs will increase to cover the proposed increase. At present, 37% receive no support with their housing costs and pay their full rent charge. Support such as income maximisation, budgeting and debt advice is available to all tenants and publicised through staff, newsletters, and other channels.

Climate Change and Carbon

- 4.7 The budget proposals include substantial investment which will directly support the delivery of the Council's Environmental Sustainability and Climate Change strategy.

Key Priorities

- 4.8 Investment through the HRA capital programme and revenue budget supports and

links to the following Council Plan 2019-2024 priorities:

- Affordable, modern, and well-designed homes that meets residents' needs
- Vibrant, welcoming, and attractive places
- A sustainable environment

Community Wealth Building

- 4.9 Through delivery of the SHIP, contractors are required to participate in the Council's Community Benefits Programme. Development projects aim to deliver new employment opportunities for the area, including jobs and apprenticeships. Work is undertaken in partnership with Procurement and Economic Regeneration to maximise community wealth benefits in procuring fixed term contracts.

5. Consultation

- 5.1 Housing Services engaged in a programme of consultation with key stakeholders in order to gather their views of the current service provision and priorities for future service delivery. This engagement was facilitated, in the main, through the Housing Business Plan Group and the Tenants and Residents Network.
- 5.2 A total of 1,121 responses were received - a response rate of 8.80%. This is the highest response to a rent consultation by North Ayrshire Council to date. Responses received from the tenants' consultation indicated an 73.51% preference for 'Option 1', a rent increase of an average of £4.99 for 2023/24. There was a 12.84% preference for 'Option 2' a rent increase of an average of £5.25 and a 13.65% preference for 'Option 3' a rent increase of an average of £5.45 for 2023/24. Tenants were invited to respond by completing an electronic form. A letter was issued to all tenants, emails and SMS messages were sent, posts were added social media channels, adverts were placed in the local press, posters were placed in key locations and tenants were supported to complete the consultation if calling or visiting offices. Housing Services staff also held local drop in events to assist tenants to complete the consultation.

RUSSELL McCUTCHEON
Executive Director (Place)

For further information please contact Yvonne Baulk, Head of Housing & Public Protection, on 01294 324542.

Background Papers

None

North Ayrshire Council Draft HRA Capital plan 2023/24						
Pogramme Description	Total Project Budget	Spend to 31st Mar 2022	Projected Spend 2022/23	2023/24	Future Years House Building	Future Totals
				£000	£000	£000
Council House Building						
Bourtreeshill Village	9,925	48	25	3,937	5,915	9,851
James MacFarlane	4,784	255	100	4,429	0	4,429
James Reid	11,896	629	120	11,147	0	11,147
Garnock Academy Site	12,093	524	100	11,065	405	11,469
Afton Court	1,336	74	1,104	157	0	157
Corsehillhead	2,028	156	600	1,272	0	1,272
Ayrshire Central Site	50,373	2,445	100	35,285	12,544	47,828
Montgomerie Park (Phase 1)	46,167	4,643	50	27,652	13,822	41,474
Stanecastle ASN School	7,768	515	100	6,833	320	7,154
Largs Police Station	2,769	360	1,705	704	0	704
Fullarton Street	14,481	3	25	7,435	7,018	14,454
Glebe Place	1,895	0	0	1,660	235	1,895
Regeneration Project 1e	1,658	0	5	1,093	560	1,653
Unallocated Regeneration Block 1	8,305	0	0	479	7,826	8,305
Laburnum Avenue	1,637	0	10	1,627	0	1,627
Newhouse Drive	1,637	0	5	1,632	0	1,632
King's Arms Project (Regen Project 1c)	2,170	179	160	1,831	0	1,831
Regeneration Project 1d	9,966	0	5	4,777	5,184	9,961
Contingency				9,944	0	9,944
House Build Management Fees				465	1,975	2,440
Refurbishment Schemes						
Saltcoats MSF Investment				854	0	854
Fullarton Regeneration				1,303	0	1,303
Acquisition of Houses - Open Market				355	0	355
Improvements to Existing Stock						
Bathroom				2,896	0	2,896
Electrical				969	0	969
Heating				2,925	0	2,925
Kitchen				3,851	0	3,851
Roofing & Rendering				1,885	0	1,885
Insulated Rendering				505	0	505
Window				319	0	319
Smoke Detectors				191	0	191
Energy Efficiency				1,667	0	1,667
Solar Panels				2,739	0	2,739
Regeneration Programme				2,391	0	2,391
Detection Equipment				1,263	0	1,263
Nelson Street Regeneration				597	0	597
Lift Replacement				454	0	454
Sheltered Housing				12,345	0	12,345
Management Charge				1,381	0	1,381
TOTAL EXPENDITURE				172,316	55,803	228,119
Funded By:-						
CFCR				(5,151)	0	(5,151)
Use of Reserves				(4,065)	(1,152)	(5,217)
Affordable Housing Fund				(2,445)	(2,030)	(4,475)
Capital Grants - House Building				(44,979)	(17,725)	(62,704)
Other Capital Income				0		
Prudential Borrowing				(115,676)	(34,897)	(150,572)
TOTAL INCOME				(172,316)	(55,803)	(228,119)

Draft HRA Revenue Budget 2023/24		
	Cost Type	2023/24 (£'000s)
Income	Rents:	
	Council houses	(56,804)
	Other rents	(516)
	Utilities Credit Billing / Feed in Tarriff / RHI Income	(151)
	Other Income:	
	External recharges	(363)
	Internal recharges	(124)
	Health Resource Funding	(9)
Gross Income		(57,967)
Expenditure	Employee Costs	6,146
	Property Costs:	
	Responsive repairs	7,979
	Void expenditure	3,559
	Planned & Cyclical maintenance	5,077
	Tenant Led Budgets & Infrastructure Improvements	274
	Aids & adaptations	1,617
	Other property costs	4,350
	Supplies and Services	399
	Transport Costs	35
	Administration Costs	514
	Insurances	296
	Central Support Costs	1,561
	Payments to Other Agencies, Bodies and Persons	1
	Internal Services	2,850
	Capital Financing:	
	CFCR	5,151
	Principal repayments	6,749
	Loans Fund interest	11,275
	Loans Fund expenses	151
	Revenue interest	(17)
Gross Expenditure		57,967

Rent Level Options for 2023/24

The survey will take approximately 4 minutes to complete.

* Required

Introduction



North Ayrshire Council consults annually with tenants on proposals relating to rent setting. This is your opportunity to have a say in how much rent you pay.

We remain committed to keeping your rent as affordable as possible, whilst continuing to deliver on your priorities as a tenant and ours as your landlord and ensuring high levels of tenant satisfaction.

Our rent levels are currently amongst the lowest in Scotland and remain the most affordable housing option for residents in North Ayrshire. Our average rent is lower than the average rent of Scottish Local Authorities and Scottish Social landlords.

- Here is a comparison of average rents in North Ayrshire by landlord in March 2022:
- North Ayrshire Council - £75.86
- ANCHO - £85.01
- Cunninghame Housing Association - £92.87
- Riverside Scotland - £92.29

This year's rent setting consultation period will run from 12 December 2022 to 22 January 2023. We will use your feedback to prepare a report for a meeting of the Council in February 2023, where elected members will consider the proposed rent increase for Council tenants for 2023/24.

We will write to inform you what your new rent charge will be at least four weeks in advance of any changes being implemented in April 2023.

If you're struggling with living costs, see our Cost of Living Support section of our website (north-ayrshire.gov.uk)

Pressures facing our Housing Revenue Account (HRA)



We are fully committed to keeping rent increases as low and affordable for our tenants as possible.

However, our Housing Revenue Account (HRA) – the ring-fenced fund which uses your rent to provide all your housing services – faces significant challenges as a direct result of the current economic climate. We are experiencing:

- Significantly higher costs for maintaining and improving our houses due to higher prices for contractors and materials
- Increased interest rates linked to borrowing costs to fund future capital projects
- Rising inflation affecting other running costs

These pressures have been reflected in the proposed rent options for next year.

Achieving savings for tenants



We realise these are very challenging financial times for our tenants, so we have done all we can to make sure the rent increase options you are being consulted on are as low as possible.

If we hadn't changed any of our previous spending plans, we would have to increase rents by **22.6%** just to keep up with the financial pressures we are facing. This is the equivalent of an extra £17.73 per week, based on the average rent in the current year of £77.76. We are aware that this would not be affordable to most of our tenants.

We have carried out a comprehensive budget review over the last few months and:

- identified general efficiencies across all areas of the HRA. These savings will not have any impact on the current service that is provided to tenants
- reduced some discretionary budgets: sub-divisional fencing; and infrastructure improvements
- removed the tenant-led budget of £0.216m, however tenants are being given the option to retain this fund by choosing a higher rent increase (Option 3).

All these measures will help to keep the rent increase for 2023/24 and future years as low as possible, minimising the financial impact on our tenants.

Investment and Improvement



Investing in your services

The three rent increase options we are seeking your views on all include investment in priority areas such as:

- Continuing our house building programme, with 1,625 new homes planned by March 2028
- Maintaining and improving your existing homes
- Funding of £124.9m to tackle climate change and achieve a net-zero housing stock, supporting our tenants with new energy efficient technologies
- Continuation of the £25m Sheltered Housing Reprovisioning Programme
- Continuation of the £10m Estate Based Regeneration Programme
- Funding to tackle digital and financial exclusion

Planned Capital Improvements 2023/24

Our Capital Investment Programme of improvements to your homes will continue. This work will include building new homes and continuing to invest in our existing homes and estates:

- Central heating (£2.92m)
- Solar PV (£2.75m)
- Kitchen upgrades (£2.55m)
- Roofing & Rendering (£1.89m)
- Bathroom upgrades (£1.69m)
- Energy efficiency (£1.67m)
- Estate based projects (£1.20m)
- Rewiring (£0.97m)
- Insulated render (0.50m)
- Lift renewals (£0.45m)
- Windows (£0.33m)
- Smoke detection (0.19m)

The capital programme previously included funding to replace all external doors over the next 30 years. Due to financial constraints, doors will instead be replaced based on their condition.

Again, due to current financial constraints and to keep your rent as low as possible we are recommending that the timescales for replacing kitchens and bathrooms are increased by two years to 22 and 27 years respectively. Options 2 and 3 of the rent consultation allow us to maintain the existing replacement times of 20 years for kitchens and 25 years for bathrooms funded by a higher rent increase

What are the rent level options for 2023/24?



The three proposed options are set out below, along with information on what each option will allow us to do. We are recommending you vote for Option 1, as this is the most affordable option.

Option 1

Increase rents by 6.42%, an average increase of **£4.99** per week

- Kitchens replaced every 22 years; bathrooms 27 years; no tenant-led budget

Option 2

Increase rents by 6.75%, an average increase of **£5.25** per week

- Kitchens replaced every 20 years; bathrooms 25 years; no tenant-led budget

Option 3

Increase rents by 7.01%, an average increase of **£5.45** per week

- Kitchens replaced every 20 years; bathrooms 25 years; tenant-led budget reinstated at £0.216m

The indicative average rent increases for 2024/25 would be the same £4.99 (6.03%) for option 1, £5.25 (6.32%) for option 2 and £5.25 (6.55%) for option 3. From 2025/26 onwards the indicative increase would be 4.29% each year for the remaining years of our 30-year plan. We will be working over the coming year to see if we can make further efficiencies to reduce this.

Affordability and weekly rent charges



It is important that we recognise the impact of rents and proposed rent increases on tenants' household income.

We have to consider affordability to tenants alongside our obligations as a landlord to maintain the quality of your home.

The weekly rent charge for 2023/24 for each proposed option, based on property size, would be:

Option 1 - Increase rents by 6.42%, an average increase of £4.99 per week

- Bedsit flat: £64.20
- Bedsit house: £64.20
- 1-bedroom flat: £81.12
- 1-bedroom house: £81.59
- 2-bedroom flat: £82.36
- 2-bedroom house: £82.87
- 3-bedroom flat: £83.59
- 3-bedroom house: £84.04
- 4-bedroom flat: £84.74
- 4-bedroom house: £85.21
- 5-bedroom house: £86.47
- 6-bedroom house: £87.64

Option 2 - Increase rents by 6.75%, an average increase of £5.25 per week

- Bedsit flat: £64.40
- Bedsit house: £64.40
- 1-bedroom flat: £81.38
- 1-bedroom house: £81.85
- 2-bedroom flat: £82.61
- 2-bedroom house: £83.13
- 3-bedroom flat: £83.85
- 3-bedroom house: £84.30
- 4-bedroom flat: £85.01
- 4-bedroom house: £85.47
- 5-bedroom house: £86.73
- 6-bedroom house: £87.92

Option 3 - Increase rents by 7.01%, an average increase of £5.45 per week

- Bedsit flat: £64.56
- Bedsit house: £64.56
- 1-bedroom flat: £81.57

- 1-bedroom house: £82.04
- 2-bedroom flat: £82.82
- 2-bedroom house: £83.33
- 3-bedroom flat: £84.06
- 3-bedroom house: £84.51
- 4-bedroom flat: £85.21
- 4-bedroom house: £85.68
- 5-bedroom house: £86.95
- 6-bedroom house: £88.13

It's important that we continue to consider the impact of any increase on our average rent levels and how affordable these are for current and future tenants.

We are confident that, with any of the increases proposed, our rent levels will continue to be amongst the lowest Local Authority landlords' rents nationally.

Vote for your preferred Rent Level Option



Please choose your preferred option below:

Option1

Increase rents by 6.42%, an average increase of **£4.99** per week

- Kitchens replaced every 22 years; bathrooms 27 years; no tenant-led budget

Option 2

Increase rents by 6.75%, an average increase of **£5.25** per week

- Kitchens replaced every 20 years; bathrooms 25 years; no tenant-led budget

Option 3

Increase rents by 7.01%, an average increase of **£5.45** per week

- Kitchens replaced every 20 years; bathrooms 25 years; tenant-led budget reinstated at £0.216m

1

What is your preferred Rent level Option for 2023/24? *

- ☐ Option 1 – Increase rents by 6.42%, an average increase of **£4.99** per week
- ☐ Option 2 - Increase rents by 6.75%, an average increase of **£5.25** per week
- ☐ Option 3 - Increase rents by 7.01%, an average increase of **£5.45** per week

Enter the prize draw or request housing support



Each tenant who takes part in this consultation has the option to enter a prize draw to win one of two £50 high street shopping vouchers.

You can also tell us if you would like any extra support to help pay your rent or feel like you could benefit from some extra help with your tenancy

2

Please tick the boxes that apply to you.

- ☐ I would like some information on support available to help pay my rent
- ☐ I would like some extra support to help keep my tenancy
- ☐ I would like some information on the scheme that provides house contents insurance for tenants
- ☐ I would like to join the tenant's panel
- ☐ I would like to be entered into the prize draw for a £50 shopping voucher

Please provide your contact details



Please leave your details below so that we can contact you if we need to.

3

I confirm that I am a North Ayrshire Council tenant *

☐ Yes

☐ No

4

Name *

5

Address *

6

Postcode *

7

Telephone number *

8

Email address (optional)

Almost done...

You are about to submit your response. By clicking 'Submit' you give us permission to analyse and include your response in our results. After you click Submit, you will no longer be able to go back and change any of your answers.

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NORTH AYRSHIRE COUNCIL

15 February 2023

North Ayrshire Council

Title:	Review of Accounting Arrangements for PFI and Similar Contracts
Purpose:	To seek approval of Council to revise the current methodology used to determine the statutory repayment of debt charged to the General Fund in relation to the Council's service concession contracts.
Recommendation:	That Council approve the adoption of the revised accounting arrangements under Local Government Finance Circular 10/2022 for the recalculation of debt repayments arising from the Council's service concession contracts aligned to the useful economic life of the assets under the contracts.

1. Executive Summary

- 1.1 This report was originally presented to Council on 14 December 2022. A motion was subsequently approved, and the Council agreed as follows: "(a) that officers organise an all-Member briefing to fully understand the decision to be made and the potential implications of it; and (b) thereafter, the report be submitted to the meeting of the full Council on 15 February 2023 for decision". An all-member briefing was delivered by the Head of Finance on the 20 January, 2023. This included a presentation on the proposed flexibility, and this was followed by a discussion with elected members.
- 1.2 The Scottish Government has issued Finance Circular 10/2022 to all local authorities which enables the application of a financial flexibility in relation to the accounting for service concession arrangements, leases and similar arrangements. Under this flexibility, the accounting arrangements in relation to the capital repayment element of the Council's PPP and DBFM contracts have been reviewed and it is recommended that these are adjusted in a manner consistent with the accounting for other local authority fixed assets financed through more traditional arrangements.
- 1.3 The adoption of an annuity-based repayment schedule is considered prudent, sustainable and affordable and will result in the rescheduling of charges to the General Fund over the 50 year useful economic life of the assets rather than the current contract terms. This will result in the release of a one-off retrospective

repayment adjustment of £21.546m with a short to medium term reduction in the annual debt repayment charges over the period to 2037/38.

- 1.4 It is emphasised that the reductions highlighted are purely in relation to timing and that the overall repayments charged to the General Fund remain unchanged. This change will result in repayment charges to the General Fund extending beyond the periods of 2037/38 for current PPP contracts and 2042/43 for the current DBFM contract to years 2056/57 and 2066/67 respectively.
- 1.5 It is proposed that the short to medium term cost reductions are considered as part of the Council's budget planning arrangements over the medium-term and are applied to address the rising cost pressures within the 10-year General Services Capital Programme. The retrospective element of this change would be utilised to help temporarily and partially mitigate the significant challenges identified in the budget gap within the medium-term General Services Revenue Budget. Due to the scale of the challenge it is recognised that this proposed flexibility would play a key role in managing the financial impact over the medium-term. Use of this flexibility, however, would have to be applied in a limited and controlled manner across several financial years, and critically, that this runs in parallel with more sustainable measures to reduce the cost base of the Council in line with available funding and the key priorities.

2. Background

- 2.1 During 2007/08, North Ayrshire Council entered into a 30 year PPP contract for the construction, maintenance and operation of four schools with a principal capital repayment value of £81.845m. Subsequently, during 2018/19, the Council entered into a 25 year Design, Build, Finance and Maintain (DBFM) contract for the provision of Largs Campus with a principal capital repayment value of £46.626m. The statutory accounting requirements in relation to these "service concession" arrangements requires Councils to separately identify the capital repayment elements of the unitary charge payments and account for them as debt repayments over the term of the respective contracts.
- 2.2 If these assets had been financed through traditional borrowing methods, the borrowing would have been managed through the Council's Loans Fund with the repayment of the principal capital element calculated over the useful economic life of the assets. In the case of schools, this would have resulted in repayment over a 50-year period rather than over the 25 – 30 year contract period currently in place, allowing for a lower annual charge to the General Fund over the longer repayment period. It should also be noted that the Council has previously undertaken a review of loans fund advances for all local authority assets in accordance with the Local Authority (Capital Finance and Accounting) (Scotland) Regulations 2016. The result of which led to the creation of the Council's £8.800m Investment Fund to support environmental, infrastructure and Community Wealth Building activity.
- 2.3 Representations from local authorities to Scottish Government ministers have highlighted the inherent anomaly in the current accounting treatment and the resultant issue in terms of inter-generational equity, whereby current Council Tax payers are required to meet the full cost of acquiring the schools while future generations will

continue to receive the benefit of the assets without any requirement to contribute towards the acquisition costs.

- 2.4 Under Local Government Finance Circular 10/2022 – Finance Leases and Service Concession Arrangements, the Scottish Government has outlined a provision for financial flexibility which will allow local authorities to apply a retrospective recalculation of the annual charges to the General Fund in relation to the principal capital repayment element of service concession arrangements, including PPP and DBFM contracts. There would be no change to the actual payments to the contractor or to the value of interest or service charges made against the General Fund and the schools would still transfer to North Ayrshire Council at the end of the current contract for nil consideration.
- 2.5 In order to apply this flexibility, the Finance Circular requires that the decision must be taken to full Council, setting out the reasons for the change and demonstrating that the change is prudent, sustainable and affordable over the life of the assets.
- 2.6 The tables attached at Appendix 1 highlight the current arrangements for charging the debt repayment element to the General Fund. This highlights that total principal repayments to 31 March 2022 were £28.755m with a further £99.716m due to be charged over the remaining period of the contracts, which are due to end in 2037/38 and 2042/43. This will result in total debt repayments of £128.471m over the 25-30 year period.
- 2.7 Under Finance Circular 10/2022, local authorities have the option to exercise a financial flexibility to align the statutory debt repayments to the asset life using either equal instalments or the annuity method.
- 2.8 Under the equal instalment's method the same amount of principal repayment is applied annually. The annuity method assumes that the total payments, including interest charges, are equal across all years, with the principal repayment increasing as the interest charge reduces. It has been determined that the annuity method appropriately reflects the consumption of the assets over their useful lives as maintenance costs tend to increase in later years. Further, it is recognised that the annuity method provides a fairer charge than equal instalments as it takes better account of the time value of money e.g., paying £1,000,000 in ten years' time is less of a burden than paying £1,000,000 now. The schedule of charges produced by the annuity method thus results in a consistent charge over an asset's life, considering the real value of the amounts when they fall due. It should also be stressed that the annuity approach is consistent with the repayment method adopted by North Ayrshire Council in relation to existing Loans Fund advance repayments under the current Treasury Management and Investment Strategy.
- 2.9 The application of the financial flexibility has been recalculated in Appendix 1 on the annuity basis, discounted using the interest rate implicit in the relevant contracts as specified in the Circular. These rates are 6.52% and 4.4% for PPP and DBFM respectively. This is consistent with the 5% annuity rate applied to standard Loans Fund repayment arrangement for more traditionally funded acquisitions over the same periods. On this basis, the total repayments remain at £128.471m.

- 2.10 It is important to emphasise that the service concession flexibility is a timing related transaction under which the total liability remains unchanged but is spread over a longer period aligned to the useful economic lives of the schools in question. The amount that would have been charged to the General Fund to 31 March 2022 is reduced to £7.209m with a further £121.262m due to be charged over the remaining period of the assets' useful economic lives, which have been calculated as 2056/57 and 2066/67 respectively. This will result in £86.664m of repayments, which would have been charged to the General Fund over the original repayment periods, being deferred and charged over the period 2038/39 to 2066/67, resulting in additional General Fund revenue pressures across those years.
- 2.11 As detailed in Appendix 1, the application of the financial flexibility on this basis will result in a retrospective financial benefit to 31 March 2022 of £21.546m with an average annual reduction in charges to the General Fund over the 10 year period to 2031/32 of £3.380m per year. However, the final accounting adjustments will be subject to further scrutiny and confirmation as part of the annual external audit.
- 2.12 As indicated in the Medium-Term Financial Outlook, considered by Council on 2 November 2022, it is currently recommended that the recurring element of the annual cost reductions is allocated to help address the rising cost pressures within the 10 year General Services Capital Programme, providing an additional element of headroom in relation to both inflationary pressures and borrowing costs.
- 2.13 In addition, it is recommended that the potential utilisation of the non-recurring, retrospective element is considered as part of the Council's Medium-Term Financial Planning. Due to the scale of the challenge, it is recognised that this proposed flexibility would play a key role in managing the financial impact over the medium-term. Use of this flexibility, however, would have to be applied in a limited and controlled manner across several financial years, and critically, that this runs in parallel with more sustainable measures to reduce the cost base of the Council in line with available funding and the key priorities..

3. Proposals

- 3.1 It is proposed that That Council approve the adoption of the revised accounting arrangements under Local Government Finance Circular 10/2022 for the recalculation of debt repayments arising from the Council's service concession contracts aligned to the useful economic life of the assets under the contracts.

4. Implications/Socio-economic Duty

Financial

- 4.1 The financial implications are as outlined in the report. The resultant adjustments to the debt repayment charges to the General Fund will be considered as part of the Medium Term Financial Plan 2023/24 to 2025/26.

It is the opinion of the Chief Finance Officer that the recommended adoption of the financial flexibility on an annuity basis is prudent and will contribute to the medium and long term financial planning arrangements of North Ayrshire Council.

Human Resources

4.2 None.

Legal

4.3 The application of this financial flexibility is an internal accounting adjustment for North Ayrshire Council and has no contractual implications in relation to the existing PPP or DBFM contracts.

Equality/Socio-economic

4.4 None.

Climate Change and Carbon

4.5 None.

Key Priorities

4.6 This proposal supports the key priority of “An efficient Council that maximises resources and provides value for money”

Community Wealth Building

4.7 None.

5. Consultation

5.1 The Finance Service has consulted with the Council's treasury advisors, Arlingclose Ltd, and our appointed external auditors, Audit Scotland, in the preparation of this report.

Mark Boyd
Head of Service (Finance)

For further information please contact **David Forbes, Senior Manager (Strategic Business Partner)**, on **01294 324551** or **DavidForbes@north-ayrshire.gov.uk**.

Background Papers

Medium-Term Financial Outlook 2023/24 to 2025/26

Appendix 1

	PPP			DBFM			Combined		
Financial Year	Current Profile	Revised Profile	Movement	Current Profile	Revised Profile	Movement	Current Profile	Revised Profile	Movement
	£m	£m	£m	£m	£m	£m	£m	£m	£m
Pre 2022/23	22.113	5.737	(16.376)	6.642	1.472	(5.170)	28.755	7.209	(21.546)
2022/23	1.946	0.611	(1.335)	1.764	0.334	(1.430)	3.710	0.945	(2.765)
2023/24	1.926	0.651	(1.275)	1.762	0.349	(1.413)	3.688	1.000	(2.688)
2024/25	2.305	0.693	(1.612)	1.890	0.364	(1.526)	4.195	1.057	(3.138)
2025/26	2.375	0.738	(1.637)	1.911	0.380	(1.531)	4.286	1.118	(3.168)
2026/27	2.512	0.787	(1.725)	1.870	0.397	(1.473)	4.382	1.184	(3.198)
2027/28	2.752	0.838	(1.914)	1.789	0.415	(1.374)	4.541	1.253	(3.288)
2028/29	3.120	0.893	(2.227)	1.787	0.433	(1.354)	4.907	1.326	(3.581)
2029/30	3.261	0.951	(2.310)	2.080	0.452	(1.628)	5.341	1.403	(3.938)
2030/31	3.540	1.013	(2.527)	1.874	0.472	(1.402)	5.414	1.485	(3.929)
2031/32	3.826	1.079	(2.747)	1.855	0.493	(1.362)	5.681	1.572	(4.109)
2032/33	3.917	1.149	(2.768)	1.889	0.514	(1.375)	5.806	1.663	(4.143)
2033/34	3.988	1.224	(2.764)	1.957	0.537	(1.420)	5.945	1.761	(4.184)
2034/35	5.211	1.304	(3.907)	1.945	0.561	(1.384)	7.156	1.865	(5.291)
2035/36	5.551	1.389	(4.162)	1.746	0.585	(1.161)	7.297	1.974	(5.323)
2036/37	5.913	1.479	(4.434)	1.589	0.611	(0.978)	7.502	2.090	(5.412)
2037/38	7.589	1.576	(6.013)	1.588	0.638	(0.950)	9.177	2.214	(6.963)
2038/39		1.679	1.679	1.769	0.666	(1.103)	1.769	2.345	0.576
2039/40		1.788	1.788	2.022	0.695	(1.327)	2.022	2.483	0.461
2040/41		1.905	1.905	2.141	0.726	(1.415)	2.141	2.631	0.490
2041/42		2.029	2.029	2.235	0.758	(1.477)	2.235	2.787	0.552
2042/43		2.161	2.161	2.521	0.791	(1.730)	2.521	2.952	0.431
2043/44		2.302	2.302		0.826	0.826	-	3.128	3.128
2044/45		2.452	2.452		0.862	0.862	-	3.314	3.314
2045/46		2.612	2.612		0.900	0.900	-	3.512	3.512
2046/47		2.782	2.782		0.940	0.940	-	3.722	3.722
2047/48		2.963	2.963		0.981	0.981	-	3.944	3.944
2048/49		3.157	3.157		1.024	1.024	-	4.181	4.181
2049/50		3.363	3.363		1.069	1.069	-	4.432	4.432
2050/51		3.582	3.582		1.116	1.116	-	4.698	4.698
2051/52		3.815	3.815		1.165	1.165	-	4.980	4.980
2052/53		4.064	4.064		1.217	1.217	-	5.281	5.281
2053/54		4.329	4.329		1.270	1.270	-	5.599	5.599
2054/55		4.611	4.611		1.326	1.326	-	5.937	5.937
2055/56		4.912	4.912		1.385	1.385	-	6.297	6.297
2056/57		5.227	5.227		1.445	1.445	-	6.672	6.672
2057/58			-		1.509	1.509	-	1.509	1.509
2058/59			-		1.575	1.575	-	1.575	1.575
2059/60			-		1.645	1.645	-	1.645	1.645
2060/61			-		1.717	1.717	-	1.717	1.717
2061/62			-		1.793	1.793	-	1.793	1.793
2062/63			-		1.872	1.872	-	1.872	1.872
2063/64			-		1.954	1.954	-	1.954	1.954
2064/65			-		2.040	2.040	-	2.040	2.040
2065/66			-		2.130	2.130	-	2.130	2.130
2066/67			-		2.222	2.222	-	2.222	2.222
	81.845	81.845	(0.000)	46.626	46.626	0.000	128.471	128.471	(0.000)

NORTH AYRSHIRE COUNCIL

15 February 2023

North Ayrshire Council

Title:	Non Domestic Rates Empty Property Relief
Purpose:	To seek approval of the policy for the provision of Empty Property Relief in relation to Non Domestic Rates following devolution of responsibility to local authorities from 1 April 2023.
Recommendation:	That North Ayrshire Council approves the policy for the provision of Empty Property Relief in relation to Non Domestic Rates from 1 April 2023 as detailed in Appendix 1.

1. Executive Summary

- 1.1 Following changes to the legislation governing the administration of Non Domestic Rates, Empty Property Relief will no longer be a mandatory relief from 1 April 2023 and local authorities will be required to set their own policies for offering discretionary relief to empty properties within their respective boundaries.
- 1.2 This paper proposes the adoption of an Empty Property Relief policy for the administration of a discretionary local relief under section 3A of the Local Government (Financial Provisions etc.) (Scotland) Act 1962, as amended.
- 1.3 In light of the limited time before the required implementation of the policy and the potential disruption to existing ratepayers, it is currently proposed that the eligibility criteria under the North Ayrshire Scheme continues to reflect the former mandatory relief previously developed by the Scottish Government. Consideration of potential future reviews to the eligibility criteria will be made once the baseline funding position has been confirmed by the Scottish Government and the potential financial impact of any future changes can be quantified.

2. Background

- 2.1 Under the Non Domestic Rating Contribution (Scotland) Regulations, local authorities act as agents of the Scottish Government in the collection and administration of Non Domestic Rates within their respective areas. This includes the administration of a number of mandatory reliefs offered to reduce the rates burden in relation to a range of activities or conditions, including Empty Property Relief which offers up to 100% relief for eligible premises under criteria set by the Scottish Government in accordance with the Local Government (Scotland) Act 1966, section 24 and a range of subsequent legislative amendments.
- 2.2 The Non Domestic Rates (Scotland) Act 2020 has repealed section 24 of the 1966 Act with effect from 1 April 2023, removing Empty Property Relief as a mandatory requirement. From that date, any local authority wishing to offer Empty Property Relief to businesses must adopt a local policy under the powers to award discretionary local reliefs contained in section 3A of the Local Government (Financial Provisions etc.) (Scotland) Act 1962, as amended.
- 2.3 The current mandatory Empty Property Relief administered on behalf of the Scottish Government is available to all eligible properties as follows:

Empty Property Relief

Empty properties are eligible for 50% relief from non-domestic rates for the first 3 months in which they are empty, followed by a maximum 10% relief thereafter.

Empty industrial properties are eligible for 100% relief from non-domestic rates for the first 6 months in which they are empty, followed by a maximum 10% thereafter.

In certain circumstances empty properties may receive 100% relief from non-domestic rates for the entire period during which they are empty, this includes:

- listed buildings;
- properties with rateable values under £1,700;
- properties owned by a trustee for sequestration, liquidation or executors;
- where the company who owns the property has been wound up;
- where the property cannot be occupied by law;
- properties subject to a compulsory purchase order; and
- where there are no buildings (empty ground).

- 2.4 During 2021/22, the last full year for which complete data is currently available, a total of 615 properties across North Ayrshire received some element of Empty Property Relief, totalling £2.872m, with 416 properties identified as empty on 1 April 2022. This represented a wide variety of properties, with the most common being offices, 129 empty properties, and shops, 107 empty properties.

- 2.5 The current cost of providing Empty Property Relief is included within the Non Domestic Rates funding received as part of the annual Local Government Finance Settlement. An adjustment will be included within the 2023/24 Local Government Finance Settlement to distribute £105m across local authorities to offset the initial cost of implementing discretionary empty property relief. This funding will be distributed in line with the projected costs of continuing the current mandatory relief's eligibility criteria, with North Ayrshire Council anticipating an allocation of £2.803m. Any adjustment to the eligibility criteria which results in additional costs will need to be met from within the local authority's existing resources.
- 2.6 Work has already begun with the Council's software providers to update the Non Domestic Rates system to remove Empty Property Relief as a mandatory relief and substitute an equivalent discretionary relief. However, in light of the limited time available before the required implementation date and the absence of a confirmed funding distribution, it is proposed that no changes are made to the eligibility criteria at this time. It is proposed that the option to carry out future reviews will be deferred until after the baseline funding position has been confirmed by the Scottish Government and the potential financial impact of any future changes can be quantified. Full details of the proposed North Ayrshire Council Empty Property Relief are included in Appendix 1.

3. Proposals

- 3.1 It is proposed that North Ayrshire Council approves the policy for the provision of Empty Property Relief in relation to Non Domestic Rates from 1 April 2023 as detailed in Appendix 1.

4. Implications/Socio-economic Duty

Financial

- 4.1 It is currently anticipated that the full costs in relation to the implementation of the proposed policy will be offset by the proposed adjustment to the 2023/24 Local Government Finance Settlement. Any subsequent variation to the eligibility criteria will be considered as part of the annual Medium Term Financial Planning considerations.

Human Resources

- 4.2 None.

Legal

- 4.3 None.

Equality/Socio-economic

- 4.4 None.

Climate Change and Carbon

4.5 None.

Key Priorities

4.6 This proposal supports the key priority of “An efficient Council that maximises resources and provides value for money” through the administration of appropriate reliefs to support local businesses.

Community Wealth Building

4.7 None.

5. Consultation

5.1 No consultation has been required in the preparation of this report

Mark Boyd
Head of Service (Finance)

For further information please contact **David Forbes, Senior Manager (Strategic Business Partner)**, on **01294 324551** or **DavidForbes@north-ayrshire.gov.uk**.

Background Papers

None

North Ayrshire Council**Non Domestic Rates****Discretionary Empty Property Relief 2023-24****Industrial Properties****100% Empty Property Relief**

For a maximum of 6 months from the date when the property became vacant.

90% Empty Property Rate

After 6 months, charged as a percentage of the rate that would apply if the premises were occupied.

All Other Properties**50% Empty Property Relief**

For a maximum of 3 months from the date when the property became vacant.

90% Empty Property Rate

After 3 months, charged as a percentage of the rate that would apply if the premises were occupied.

Please note: 100% relief will be awarded to the following type of properties:

- rateable value less than £1,700;
- listed building, ancient monument or property with a preservation order;
- prohibited by Law from occupation (e.g. a Building Warrant has been issued);
- under compulsory purchase order;
- unoccupied due to death or insolvency;
- properties not comprising one or more buildings or part of a building.

In addition, where a property was last occupied and was awarded an exemption due to being a registered charity, as detailed in Regulation 4 of the Local Government (Financial Provisions etc.) (Scotland) Act 1962, a further exemption may be awarded for the empty period.

