



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, 01 November 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 Minute**

The accuracy of the Minutes of the Meeting of the Council held on 13 September 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 4 September - 22 October 2023 (copy enclosed).

#### **5 Leader's Report**

Submit report by the Leader of the Council for the period covering 4 September - 22 October 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 22 May - 4 October 2023.

**7 North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held in September 2023**

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 14 September 2023 (copy enclosed).

**8 Congratulatory Motion**

In terms of Standing Order 15.3, 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 congratulatory motion, duly proposed and seconded, in the following terms:**

"19th Ayrshire Scout Awards

The Kilwinning Scout Group (19th Ayrshire) Camp held at Lapwing Lodge in September were able to thank and celebrate a variety of top Adult Scout Awards.

We would like to ask Council to recognise the enormous achievements by two members of the Scout Movement from Kilwinning.

Katie Roy was presented our first ever King Scout Award in the District. Katie was self-driven to achieve all aspects of her award with distinction. Katie has represented Scotland and Great Britain at worldwide camps, she also gives her time to help fellow scouts and volunteering in the community.

Active Group Scout Leader Alister Kerr - Ned was presented his SILVER WOLF AWARD by Katie.

The SILVER WOLF AWARD is the Highest Award in Scouting for an adult member.

His award is based on a lifetime commitment to Active Scouting in his hometown of Kilwinning. The Kilwinning and wider Scouting movement has had the benefit of 55 years' service by Alister. The movement is indebted to him and his impact on our young people for those 55 years can never be repaid in these few words. Thank You Ned.

In addition, we would like to note our thanks to John Allison, current District Commissioner, John took up this role in January this year. Johns' commitment to young people be it in teaching, football coaching or

Scouting over many years must also be acknowledged at this time. Anyone who knows him will already know he takes people with him and all he ever wants is what's best for our young people in North Ayrshire.

Congratulations to both award winners, John on his senior role in Scouting and everyone else involved in Scouting in North Ayrshire for dedication to our communities a huge thanks."

- 9 Council Tax Multipliers - Scottish Government Consultation**  
Submit report by the Chief Executive to resolve the Council's position on any response to the Scottish Government's consultation on Council Tax Multipliers (copy enclosed).
- 10 Appointment to Committee**  
The Council is invited, in respect of the Audit and Scrutiny Committee, to note (i) the resignation of Councillor Murdoch as the Independent Member representative, effective from 11 September 2023 and (ii) the appointment of Councillor Donald L. Reid as Councillor Murdoch's replacement on the Committee.
- 11 Elected Member Attendance**  
Submit report by the Chief Executive on the circumstances surrounding the non-attendance of an Elected Member and the relevant provisions within Standing Orders Relating to Meetings and Proceedings of the Council and its Committees (copy to follow).
- 12 Working Group on Local Representation**  
Submit report by Executive Director (Communities and Education) on the findings and recommendations of a short-life Working Group on Local Representation (copy enclosed).
- 13 B714 No. 1 Compulsory Purchase Order**  
Submit report by the Head of Democratic Services on a proposed Compulsory Purchase Order (CPO) to facilitate the construction of Phase 1 of the B714 Upgrade (copy enclosed).
- 14 Questions**  
In terms of Standing Order 14, submit:-

**(1) a question by Councillor T. Ferguson to the Cabinet Member for Green Environment and the Economy in the following terms:**

"Can the Cabinet Member provide an update into the planned walking and cycling route project for Cumbrae?"

**(2) a question by Councillor Kerr to the Cabinet Member for Finance in the following terms:**

"In recent months, the Cabinet has consistently supported increasing Council Tax bands by up to 22%. At the Audit and Scrutiny Committee, the Cabinet Member said 'in the absence (of the ability to raise more revenue to fund vital council services) we would likely be looking at deeper cuts'.

Can the Cabinet Member tell us, in light of the First Ministers plans to freeze Council Tax, what services the Administration will target with these 'deeper cuts' - will they target on schools, social care, economic development, waste collections or do they intend to target other vital services?

**(3) a question by Councillor Murdoch to the Cabinet Member for the Green Environment and Economy in the following terms:**

"When will work be completed on the reconfiguration of Fort Street and the Pierhead in Largs?

- a. How much has the project cost so far?
- b. What is the projected final cost of the project?
- c. Does the Cabinet Member think the project is value for money
- d. Why was the Coach Drop Off & Pick Up Point removed from the Pierhead area?
- e. Why are North Ayrshire Council advising coaches to use the service bus stops as alternatives to a designated Pick Up & Drop Off Point?
- f. When will the safety bollards be replaced to prevent motorists from thinking this part of the Prom is a continuation of the road?"

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

"Is the Verity House Agreement worth the paper it's written on?"

**(5) a question by Councillor Donald Reid to the Cabinet Member for Finance in the following terms:**

"What would the Cabinet Member for Finance consider as a 'fully funded council tax freeze':

- \* the equivalent of a 3% increase?
- \* the equivalent of a 5% increase (reflecting last year's increase)?
- \* the equivalent of September's rate of inflation (and would they consider it to be at the rate of CPI or RPI)?

- \* A % increase plus the additional levy on second homes that had previously been proposed?
- \* A % increase, plus the second home levy and the equivalent of the proposed changes to bands E-H?

\* Or funding the full projected budget deficit for 2024/25, including inflationary, pay and all other budget pressures?"

**(6) a question by Councillor T. Ferguson to the Provost in the following terms:**

"Can the Provost provide an update into the planned activities in North Ayrshire and Arran for Remembrance Day 2023?"

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

"Does the Leader of the Council agree with the COSLA presidential team who publicly stated, "It has been shown that previous Council Tax freezes have been regressive, having no impact for the poorest in society and eroding the Council Tax base, compounding councils' ongoing underfunding"?"

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

"A recent article in the Times gave me thought for concern when it reported that the Financial Conduct Authority (FCA) broke data protection rules by "intercepting and diverting" emails.

Can you please tell me who, apart from Member Services, has access to or is able to intercept or divert any Members' emails?"

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

Inverclyde Council rolled out free school meals to all primary school pupils from August 2023. Given that the Administration in North Ayrshire has consistently voted against expanding free school meals, can the Deputy Leader tell us what is the difference between Inverclyde Council and North Ayrshire Council?"

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

"Can the Cabinet Portfolio holder for Education advise what guidance is in place to address the use of mobile phones in schools?"

**(11) a question by Councillor McDonald to the Cabinet Member of Finance in the following terms:**

"To ask for a total of the Council's usable reserves?"

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

"Do you believe that the current Scot Gov administration should stop spending its budget on reserved matters, and show proper respect to local Elected Members and officials, by using this money to fund truly sustainable local government?"

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

"As a signatory to the Verity House Agreement, does the Council Leader believe that the Scottish Government treats Local Government with 'respect' in light of the First Minister breaking the spirit and letter of the agreement by announcing a Council Tax freeze as part of his SNP party conference speech?"

**(14) a question by Councillor T. Ferguson to the Cabinet Member for Health and Social Care in the following terms:**

"Can the Cabinet Portfolio holder for Health and Social Care provide an update on the backlog of Blue Badge applications?"

**(15) a question by Councillor McPhater to the Leader of the Council in the following terms:**

"To seek an update on the 2023/24 pay settlement and future industrial action?"

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

"Does the Cabinet Portfolio holder for Finance believe that all ringfenced funding should be used for its intended purpose?"

**(17) a question by Councillor Cullinane to the Cabinet Member for Finance in the following terms:**

"TCS-eco are a local business, based in Kilwinning, that produces reusable period products. In 2021, TCS-eco were not on the Excel Scotland procurement framework but the Council purchased products, up to the legal spending limit for suppliers not on the procurement framework, as part of piloting a home delivery service for period products. As demand for reusable products exceeded that spending limit, additional products were purchased from other suppliers off the framework,

however, our business team supported TCS-eco to join the Excel Scotland framework at the next opportunity as part of our Community Wealth Building work. TCS-eco have been on the framework for over a year now, can the Cabinet Member advise us how much the Council has spent with TCS-eco since then?"

**(18) a question by Councillor Inglis to the Cabinet Member for Green Environment and Economy in the following terms:**

"In a report by Keep Scotland Beautiful, the streets of North Ayrshire were voted third dirtiest in the country. Can the Cabinet Member explain why this is and what they are going to do to clean up the streets of North Ayrshire?"

**(19) a question by Councillor Billings to the Cabinet Member for Health and Social Care in the following terms:**

"There is a growing concern about the level Scottish Government funding to care homes and the financial stability of care homes across Scotland.

Can the Cabinet Member tell me how the HSCP is ensuring that our local care homes remain financially viable whilst also being able to continue to provide appropriate levels of care to our vulnerable elderly residents?"

**15 Motions**

In terms of Standing Order 15, submit:-

**(1) a motion by Councillor T. Ferguson, seconded by Councillor Gallacher, in the following terms:**

"That Council supports the ethos of the Wave Trust's 70/30 campaign to reduce child abuse, neglect and other adverse childhood experiences (ACEs) by at least 70% by the year 2030. Following the report presented to Council in June 2019, Council asks officers to bring a further report on progress to a future meeting of the Cabinet. This report will provide an update on how North Ayrshire Council and wider CPP partners are progressing the ambition to reduce childhood abuse and trauma in our local communities and to embed a trauma-informed approach across services. Council:

- Notes the ambitions of the national campaign to make Scotland the first Adverse Child Experiences (ACE) aware Nation.
- Notes that in 2018 this Council agreed to be 'trauma informed':
  - o to use the learning and research on Adverse Childhood Experiences (ACEs) to inform change in practice and thus be better able to reduce the negative effects of ACEs on the lives of all with whom we come in contact;
  - o to work with other partners across Ayrshire to have a consistent approach to working to implement trauma informed practice;

- o commit to give officers and staff an opportunity to view the documentary 'Resilience' which has been the catalyst for change;
  - o and to contribute to Ayrshire becoming recognised as a Centre of Trauma Informed Excellence”
- Notes that North Ayrshire Council cannot achieve these ambitions alone, there is a wider CPP responsibility and multi-agenda approach required in addition to the support of our wider communities
- Notes that supporting an early intervention approach to investment in promoting safe, stable and nurturing relationships and environments can have a positive impact of a broad range of challenges and on the development of skills that will help children and young people reach their full potential
- Continues to support and promote a trauma-informed, ACE awareness ethos to have a positive impact on both individuals and society as a whole
- Supports all front line staff across the Council and CPP partners to be encouraged to take up opportunities for continued professional learning sessions on Adverse Childhood Experiences (ACEs).
- Acknowledges that Adverse Childhood Experiences can and do impact on learning, attainment and future prospects for children and young people.
- Seeks assurance that Trauma Informed learning is taking place across our early years and school settings to support children and young people.”

**(2) a motion by Councillor McLean, seconded by Councillor Inglis, in the following terms:**

"Council agrees with the House of Lords Select Committee on the Constitution, that devolved administrations should immediately stop any improper spending and utilise funds for responsibilities within devolved competence.

The House of Lords Select Committee has unanimously agreed that devolved governments should only spend on devolved areas and that the Scottish Government should immediately stop their improper spending on things such as the Minister for Independence, overseas 'embassies' and any other reserved areas before the Cabinet Secretary takes any action necessary to stop them.

And so:

We instruct the Chief Executive of NAC to write to:

- A) John Paul Marks, Scotland's Chief Civil Servant
- B) Simon Case, Cabinet Secretary
- C) Alistair Jack, Secretary of State for Scotland
- D) Humza Yousaf, First Minister for Scotland



To express our support for the House of Lords Committees findings and for these recommendations to be implemented with haste.

And for consideration by the Scottish Government to utilise these funds not being spent on reserved matters for the purposes of supporting local government."

## **16 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.

You should be aware that the Council is a Data Controller under the Data Protection Act 2018. Data collected during the webcast will be retained in accordance with the Council's published policy, including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Generally, the press and public seating areas will not be filmed. However, by entering the Council Chambers, 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](mailto:dataprotectionofficer@north-ayrshire.gov.uk).

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## North Ayrshire Council Sederunt

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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  
13 September 2023

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, Timothy Billings, Marie Burns, Eleanor Collier, Joe Cullinane, Scott Davidson, Anthea Dickson, Stewart Ferguson, Todd Ferguson, Robert Foster, Scott Gallacher, Tony Gurney, Cameron Inglis, Margaret Johnson, Christina Larsen, Shaun Macaulay, Tom Marshall, Jean McClung, Nairn McDonald, Matthew McLean, Louise McPhater, Davina McTiernan, Ian Murdoch, Donald Reid, Chloé Robertson, Ronnie Stalker, Angela Stephen and John Sweeney.

**Present (Remote Electronic Participation)**

Alan Hill, Amanda Kerr, Jim Montgomerie and Donald L. Reid

**In Attendance**

C. Hatton, Chief Executive; C. Cameron, Director (Health and Social Care Partnership); A. Sutton, Executive Director (Communities and Education); Mark Boyd, Head of Service (Finance); F. Walker, Head of Service (People and ICT); L. Kirk, Interim Head of Service (Economic Development and Regeneration) and N. McIlvanney, Interim Head of Service (Growth, Investment and Employability) (Place); 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 S. Wilson, Committee Services Officer (Democratic Services).

**Chair**

Provost Dickson in the Chair.

**Apology**

John Glover.

**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.

The Provost also intimated her intention, in terms of Standing Order 10.5 and in light of the shared subject matter, to exercise her discretion to alter the order of business, to consider Motions (1) and (4) of Agenda Item 16 (Motions) as part of Agenda Item 13 (Ardrossan Harbour Update).

## **2. Apologies**

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

## **3. Declarations of Interest**

In terms of Standing Order 11 and Section 5 of the Councillors' Code of Conduct, the following declarations of interest were made in the course of the meeting:

The Provost declared an interest in a motion which arose during consideration of Agenda Item 15 (Questions) subsequent to responding to question (2), vacated the Chair and left the meeting during consideration of the motion, taking no part in its determination.

Councillor Cullinane, as an employee of a refugee charity, declared an interest in Agenda Item 16 (Motions) (6) and left the meeting during consideration of the motion, taking no part in its determination.

There were no declarations of the Party Whip.

## **4. Previous Minutes**

The accuracy of the Minutes of the Meeting held on 21 June 2023 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 12 June – 3 September 2023.

The Provost highlighted the numerous events and celebrations she had attended in the course of a busy summer, and the wide variety of interests reflected in her written report.

Noted.

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

Submitted report by the Leader of the Council for the period for 12 June – 3 September 2023.

Noted.

## **7. Council Minute Volume**

Submitted for noting the Minutes of meetings of committees of the Council held in the period 9 June – 29 August 2023.

Noted.

## **8. Community Planning Partnership Board: Minutes of Meeting held on 22 June 2023**

Submitted report by the Executive Director (Communities and Education) on the Minutes of the Community Planning Partnership (CPP) Board held on 22 June 2023.

The Chief Executive highlighted the range of subject matters considered by the CPP Board, including children and young people, the cost of living, active travel, climate change and the Green Health Partnership.

Noted.

## **9. Congratulatory Motions**

In terms of Standing Order 15.3, there were submitted the undernoted motions which sought to congratulate, commend or recognise an individual or group in relation to their achievement or activities within North Ayrshire:

(1) a motion, duly proposed and seconded, in the following terms:

“Council congratulates the Irvine Tennis Community on the forthcoming opening of their Tennis Courts on Thornhouse Avenue on Monday 11 September by Judy Murray OBE.

Council notes its thanks and appreciation to Chris McKenna and his committee at Irvine Tennis Community for their work.

Council further notes that the late Provost Ian Clarkson was instrumental in the campaign to restore the courts and that this is a fitting legacy for a long-standing and deeply admired community leader.”

There being no dissent, the motion was declared carried.

(2) a motion, duly proposed and seconded, in the following terms:

“North Ayrshire Council wishes to congratulate former Ardrossan Academicals RFC player, Ian Murchie who, after 54 years, has received his Scotland cap from the Scottish Rugby Union. The Council recognises that many people encouraged the SRU to change its ruling that not all matches played for their country merited a cap; remembers that his long time Ardrossan Accies friend, Bill Nolan, was one such persistent voice in the SRU; recognises that this is also a great moment of pride for everyone in Ardrossan Academicals RFC; and is delighted to know that he has finally been given the recognition he deserves.”

There being no dissent, the motion was declared carried.

## **10. Presentation**

A letter from the Right Honourable the Lord Mayor of Brisbane, Australia, Councillor Adrian Schrunner, was presented to the Council by Councillor Ian Murdoch.

At the invitation of the Provost, Councillor Murdoch made reference to the noted astronomer, Sir Thomas Makdougall Brisbane, who had been born at Brisbane House in Largs and after whom the city of Brisbane in Australia had been named. Councillor Murdoch then referred to recent meetings with a representative of the Clem Jones Foundation and former teacher, Juliette Bentley from Brisbane, Australia, on efforts to see the restoration of the Brisbane Observatory in Largs and on promoting educational links between Largs, North Ayrshire and Brisbane in Australia.

Councillor Murdoch then presented the letter from the Lord Mayor of Brisbane, Australia, in which the Lord Mayor expressed his desire, in the context of the opening of the Olympic Games in Brisbane, Australia in 2032 (coincidentally on the birthday of Sir Thomas Makdougall Brisbane), to promote the creation of stronger links between Largs, North Ayrshire as a whole and the city of Brisbane in Australia.

On behalf of the Council, the Provost accepted the letter.

Noted.

## **11. Outside Body Appointments**

The Council was invited to consider nominations, proposed by Councillor Burns and seconded by Councillor Macaulay, for Councillor Hill to serve on the North Ayrshire Outdoor Access Forum, the Ayrshire Valuation Joint Board and, as a named substitute, on the West of Scotland Archaeology Joint Committee.

Councillor Hill, having been duly proposed and seconded, was nominated to fill these vacancies. There being no other nominations, Councillor Hill was duly appointed.

Accordingly, the Council agreed to approve the appointment of Councillor Hill to serve on (i) the North Ayrshire Outdoor Access Forum, (ii) the Ayrshire Valuation Joint Board; and (b) the West of Scotland Archaeology Joint Committee (the latter as a named substitute).

## **12. Committee Timetable 2024**

Submitted report by the Chief Executive on a proposed timetable of meetings of the Council and its committees for the period from January – December 2024. The draft timetable was set out in the appendix to the report.

The Council unanimously agreed as follows:

- (a) to approve the draft committee timetable set out at Appendix 1 to the report; and
- (b) to note that arrangements for Locality Partnership meetings and any ad hoc or Special Meetings would be intimated separately to Members.

## **13. Revenue Estimates 2023/24 – Irvine Committee Good Fund**

Submitted report by the Head of Finance on the level of grant applications received by Irvine Common Good Fund and seeking approval to increase the level of funding made available for disbursement as grants during 2023/24. The detailed budget for the Common Good Fund, including the proposed revisions, was set out at Appendix 1 to the report.

Councillor Larsen, seconded by Councillor Johnson, moved approval of the officer recommendations set out in the report. There being no amendment, the motion was declared carried.

Accordingly, the Council agreed:

- (a) to approve the revised 2023/24 revenue estimates for Irvine Common Good Fund to maximise the support offered to the community; and
- (b) that the budget available for disbursement from Irvine Common Good Fund be increased to £41,041 for 2023/24.

## **14. Ardrossan Harbour Update**

Submitted report by the Executive Director (Place) which provided an update on the Ardrossan Harbour development following Transport Scotland's decision to pause procurement activity for the project.

The Provost, having agreed in terms of Standing Order 10.5, to alter the order of business, invited the Council to consider Motions (1) and (4) of Agenda Item 16 (Motions) together with the report.

Members asked questions, and were provided with clarification, on the following elements of the report:

- the proposed refresh of the socio-economic analysis undertaken by the Fraser of Allander Institute in 2020 and the rationale for this work being progressed by the Council rather than as part of Transport Scotland's review; and
- the importance of considering not only the value of the ferry to Arran's economy, but also the negative impacts of ferry uncertainty, cancellations and delays, and whether these factors would be taken into account in the review

Following consideration of the update provided in the officer's report, Councillor Gurney, seconded by Councillor Collier, moved as follows:

"Council notes with disappointment the decision of the board of Transport Scotland to revisit the business case for the redevelopment of Ardrossan Harbour.

Council also notes:

- that Ardrossan provides the shortest, most economical, and greenest ferry route for Arran residents;
- that Ardrossan is the only port with adequate public transport links to service the ferry;
- that any change to the route would result in longer crossing times, the concomitant reduction in the number of services and the subsequent reduction in the Arran service;
- the multi-million-pound investment already committed by North Ayrshire Council to the project and more widely in Ardrossan;
- that these, and other factors, have already been accepted by all parties as the core framework for continuing the Ardrossan to Arran ferry service; and
- that Ardrossan Harbour is a key component of Peel Ports' infrastructure

Council acknowledges the increase in building costs associated with this and other projects but does not accept that this constitutes grounds for changing the core decision.

Taking into account this context the Council instructs the Chief Executive to write to:

- the Transport Minister to ask her to publicly re-affirm the choice of the Ardrossan to Arran route and to urge her to proceed with the project as quickly as possible;
- the board of Transport Scotland in the same terms;
- the Chief Executive of Peel Ports to ask the organisation to invest in the project to a level commensurate with its importance; and



- the First Minister to remind him of his previous commitment to the project and to ask him to consider reversing the privatisation of Peel Ports' Scottish assets.”

As an amendment, Councillor Billings, seconded by Councillor S. Ferguson, moved as follows:

“To amend the motion as follows:

To delete the first paragraph and replace with:

“North Ayrshire Council is both disappointed and frustrated by the decision by the Transport Scotland to revisit the business case for the redevelopment of Ardrossan Harbour. This will further exacerbate the uncertainty surrounding the Arran ferry route and prolong the social and economic challenges that the ongoing delays to Arran’s ferry infrastructure improvements are already causing.”

In the letter to the First Minister, to delete everything after the word ‘and’ replace with ‘request that he confirms that Ardrossan will continue to be the preferred mainland port for the Arran ferry.’”

As a further amendment, Councillor Kerr, seconded by Councillor D. Reid, moved as follows:

“Council approves the following:

“Council notes with disappointment the decision of the board of Transport Scotland to revisit the business case for the redevelopment of Ardrossan Harbour. **More than six years on from the successful Keep it A to B campaign, the decision will further exacerbate the uncertainty surrounding the Arran ferry route and prolong the social and economic challenges that the ongoing delays to Arran’s ferry infrastructure improvements are already causing.**

Council also notes:

- that Ardrossan provides the shortest, most economical, and greenest ferry route for Arran residents;
- that Ardrossan is the only port with adequate public transport links to service the ferry;
- that any change to the route would result in longer crossing times, the concomitant reduction in the number of services and the subsequent reduction in the Arran service;
- the multi-million-pound investment already committed by North Ayrshire Council to the project and more widely in Ardrossan;
- that these, and other factors, have already been accepted by all parties as the core framework for continuing the Ardrossan to Arran ferry service; and
- that Ardrossan Harbour is a key component of Peel Ports’ infrastructure.

Council acknowledges **that the failure to deliver this project in a timely manner has resulted in an** increase in building costs-but does not accept that this constitutes grounds for changing the core decision **to retain the ferry service from Ardrossan to Arran.**

Taking into account this context, the Council instructs the Chief Executive to write to:

- the Transport Minister to ask her to publicly re-affirm the choice of the Ardrossan to Arran route and to urge her to **a) ensure that the review of the business case is completed by the end of 2023 and b) thereafter** proceed with the project as quickly as possible;
- the board of Transport Scotland in the same terms;
- the Chief Executive of Peel Ports to ask the organisation to invest in the project to a level commensurate with its importance; and
- the First Minister to remind him of his previous commitment to the project, **ask that he confirms that Ardrossan will continue to be the preferred mainland port for the Arran ferry**, and to ask him to consider bringing Ardrossan Harbour into public ownership to ensure delivery of this vital project.

**Furthermore, the Council mandates officers to act quickly should the review of the business case result in the original decision being reversed. This shall include, but not be limited to:**

- **calling an emergency meeting of North Ayrshire Council at the earliest possible opportunity to consider the decision;**
- **relaunching the Keep it A to B campaign; and**
- **consideration of legal options to challenge the decision.”**

In terms of Standing Order 6.8, the Provost agreed that the meeting be adjourned at 2.45 p.m. for a short recess, to allow Members to consider the terms of the motion and amendments. The meeting reconvened at 3.10 p.m. with the same Members and officers present and in attendance.

The Provost invited the movers and seconders to intimate whether, in terms of Standing Order 16.5, they wished to amend their motion/amendment.

Councillor Gurney, with the agreement of his seconder, intimated a willingness to alter his motion by replacing the first paragraph with that of the initial paragraph of Councillor Billings' amendment and by replacing the word "Scottish" in the final line of his motion with the word "Ardrossan".

With the permission of the Provost, the Leader answered a question of clarification on whether a meeting had taken place with the Transport Minister over the summer period.

There followed debate and summing up.

On a division and a roll call vote, there voted for the first amendment, as revised, Councillors Bell, Billings, Cullinane, S. Ferguson, Foster, Gallacher, Inglis, Kerr, Marshall, McDonald, McLean, McPhater, Montgomerie, Murdoch, D. Reid, Stalker, Stephen and Sweeney (18) and for the motion, as revised, Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McClung, McTiernan and Robertson (12), Councillors T. Ferguson and D.L. Reid abstaining, and the first amendment became the substantive motion.

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

Accordingly, the Council agreed as follows:

- (a) to record that the Council was both disappointed and frustrated by the decision by the Transport Scotland to revisit the business case for the redevelopment of Ardrossan Harbour. This would further exacerbate the uncertainty surrounding the Arran ferry route and prolong the social and economic challenges that the ongoing delays to Arran's ferry infrastructure improvements were already causing.
- (b) to note:
  - (i) that Ardrossan provided the shortest, most economical, and greenest ferry route for Arran residents;
  - (ii) that Ardrossan was the only port with adequate public transport links to service the ferry;
  - (iii) that any change to the route would result in longer crossing times, the concomitant reduction in the number of services and the subsequent reduction in the Arran service;
  - (iv) the multi-million-pound investment already committed by North Ayrshire Council to the project and more widely in Ardrossan;
  - (v) that these, and other factors, had already been accepted by all parties as the core framework for continuing the Ardrossan to Arran ferry service; and
  - (vi) that Ardrossan Harbour was a key component of Peel Ports' infrastructure;

- (c) to acknowledge the increase in building costs associated with this and other projects but not accept that this constituted grounds for changing the core decision; and
- (d) to instruct the Chief Executive to write to:
  - (i) the Transport Minister to ask her to publicly re-affirm the choice of the Ardrossan to Arran route and to urge her to proceed with the project as quickly as possible;
  - (ii) the board of Transport Scotland in the same terms;
  - (iii) the Chief Executive of Peel Ports to ask the organisation to invest in the project to a level commensurate with its importance; and
  - (iv) the First Minister to remind him of his previous commitment to the project and to request that he confirms that Ardrossan will continue to be the preferred mainland port for the Arran ferry.

In light of the above decision, the Motion (4) of Agenda Item 16 (Motions) fell.

#### **15. Member Officer Working Group on Irvine Town Centre Buildings**

Submitted report by the Executive Director (Place) on the progress made by the working group to evaluate options to bring the former Forum building, former Ruby Tuesdays building and surrounding buildings that have fallen into disrepair back into a usable state.

The Council, at its meeting on 17 May 2023, agreed to the establishment of a working group to consider this matter and that a report on its work be submitted to the first meeting of the Council following the summer recess.

The Council unanimously agreed as follows:

- (a) to note the progress made by the working group; and
- (b) to receive a further update towards the end of 2023.

#### **16. Questions**

In terms of Standing Order 14, submitted:

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

“To ask the Cabinet Member how much Scottish Government funding was provided for the Summer Holiday Food Programme and the Activities and Childcare Programme budgets for summer 2023 (financial year 2023-2024)?”

Councillor Macaulay responded on behalf of the Administration, thanking the Member for his question and replying in the following terms:

“The Scottish Government provided £0.704m funding to the Council for 2023/24 to enable the provision of alternative free school meal provision to all children and young people, eligible for free school meals based on low income, in primary and secondary age groups, during the school holidays. This provision covered the summer holidays; the Christmas and Easter holidays; and the mid-term holidays in October and February.

In addition to this, during 2023-24 the Scottish Government allocated an additional £4m across all local authorities, with North Ayrshire receiving £131,670, to support existing local delivery for summer 2023 programmes.”

As a supplementary question, Councillor T. Ferguson referred to the significant cut of £192,134 in the level of additional funding allocated by the Scottish Government across Scotland in 2023-24 when compared with the funding provided in 2021-22 (£323,894) and asked if the Cabinet Member would investigate and report back on the impact of this on families who relied on this specific funding stream.

Councillor Macaulay responded by advising that a total of £831k had been committed this financial year, which was a substantial resource and included direct cash payments to families, a successful activity programme run with community partners, and food provision for some children. The Cabinet Member also referred to the Scottish Government’s announcement on the provision of wrap-around child-care. Councillor Macaulay acknowledged that more could always be done but asserted that there was evidence to support the view that progress was being made in supporting those in need.

(2) a question by Councillor Foster to the Provost in the following terms:

“I have previously raised concerns about information shared by you through your social media account @Anthea\_Dickson which clearly states you are a North Ayrshire Councillor and Provost of North Ayrshire Council. Since I last raised a question regarding you sharing misinformation and offensive comments from this account, you have shared the following:

- Nicola Sturgeon is facing a trial by ‘media s\*\*\*’
- The BBC is full blown pro union
- Scotland produces 300% more renewable energy than our current needs
- The Scottish Covid enquiry will be politicised
- BBC Scotland used Covid deaths in care homes to attack the SNP
- 92% of Scotland’s oil and gas revenues goes to Westminster
- Scotland should be left to the Scots

- Nicola Sturgeon’s life will end up in tatters due to ‘a\*\*\*\*\*’ journalists
- Scotland has more tidal capacity than the rest of the world combined
- Humza Yousaf will get arrested and released without charge
- Scotland sends water to London without compensation
- Nicola Sturgeon was only arrested due to signing audited accounts

Standards in public life are important. The Council run account @NAC\_Provost links to the account @Anthea\_Dickson in its bio so that residents who visit that council run page are being directed to your own account that is spreading misinformation and conspiracy theories, including conspiracy theories relating to a live Police investigation. Given your civic responsibilities to represent North Ayrshire, your social media is causing our area embarrassment and bringing the Council into disrepute. Will you consider your position and resign as Provost to save North Ayrshire Council any further embarrassment?”

The Provost thanked the Member for his opinion in the form of a question and responded in the following terms:

“I have said before and I repeat, I absolutely respect and understand the separate roles of Provost and my personal activities as an individual and councillor - as I believe do the people of North Ayrshire.

My personal Twitter Account (which clearly says re-tweets ‘may just be observing but not an endorsement’) contains a mixture of the amusing, the daft, the interesting, the frustrated, the cute, the informative, and fair political comment.

I share views of many others that reflect that mix too.

Cllr Foster has been extremely selective out of many thousands of posts and re-tweets.

My Twitter account is perfectly reasonable.

Cllr Foster, you already know the answer to your question, as I did not respond to your email of Wednesday evening in which you wrote –

“I thought it best to advise that, should Cllr Dickson choose to resign before the deadline for publishing the agenda, I would instruct officers to remove the question from reaching the public domain and, therefore, save the Council from significant embarrassment and the subsequent reputational damage.”

I considered that offer to be inappropriate. I, therefore, declined to respond.

Your question was published as you originally wished. I am here. The answer is, ‘no’.”

In terms of Standing Order 23, Councillor Foster, seconded by Councillor McDonald, intimated that he wished to move suspension of Standing Orders 15.1, 14.5 and 6.5 to allow consideration of a motion to remove Councillor Dickson from office as Provost.

At the invitation of the Provost, the Monitoring Officer confirmed that the relevant Standing Orders had been referenced by the mover of the motion.

The Provost, having declared an interest in the motion, vacated the Chair and left the meeting during consideration of this matter, taking no part in its determination. In terms of Standing Order 6.6, in the absence of the Provost, the Depute Provost took the Chair for this item of business.

At the invitation of the Depute Provost, the Monitoring Officer detailed the individual Standing Orders which the motion sought to suspend and provided advice on the correct procedure for consideration of this matter.

Councillor Foster, seconded by Councillor McDonald, then moved, in terms of Standing Order 23, to suspend Standing Orders 15.1, 14.5 and 6.5 to allow consideration of a motion to remove the Provost from office.

As an amendment, Councillor Burns, seconded by Councillor Macaulay, moved that the Council should not proceed with suspension of Standing Orders.

On a point of order, Councillor Billings requested, and received, confirmation that, in the event that the motion to suspend Standing Orders was not carried, this would not preclude consideration of any future motion to remove the Provost in terms of Standing Order 6.5.

On a division and a roll call vote, there voted “to proceed” with suspension of Standing Orders, Councillors Bell, Cullinane, S. Ferguson, T. Ferguson, Foster, Inglis, Kerr, Marshall, McDonald, McLean, McPhater, Montgomerie and Donald Reid (13), and “not proceed”, Councillors Billings, Burns, Collier, Davidson, Gallacher, Gurney, Hill, Johnson, Larsen, Macaulay, McClung, McTiernan, Murdoch, D.L. Reid, Robertson, Stalker and Stephen (17), Councillor Sweeney abstaining.

Accordingly, the Council agreed not to proceed with suspension of Standing Orders 15.1, 14.5 and 6.5 to allow consideration of a motion to remove the Provost from office.

In terms of Standing Order 6.8, the Depute Provost agreed that the meeting be adjourned at 3.50 p.m. to allow the Provost to re-join the meeting. The meeting reconvened at 3.55 p.m. with the same Members and officers present and in attendance, including the Provost, who resumed the Chair.

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

“To ask the Cabinet Member for Education how many primary and secondary school children 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:

“Over the last two financial years, £500k has been invested by North Ayrshire Council through Cost of the School Day funding to purchase devices for learners. These devices are targeted at pupils identified by schools, with devices offered at two stages of a learner’s school career (P5 and S2).

In the 2021-22 academic year, 1,022 devices were allocated with a further 789 devices allocated in the last academic year (2022-23).

In addition, a further £170k will be invested in the current financial year through the newly established Child Poverty and Cost of Living fund to continue this scheme to support pupils.”

As a supplementary question, Councillor T. Ferguson, referred to the number of learners in North Ayrshire who had received a free laptop to date (asserting this was currently only approximately 10% of the school population) and asked when the Scottish Government would keep its manifesto promise to provide a digital device to all learners, together with free internet connection and associated support.

Councillor Macaulay responded by advising that he could not speak for the Scottish Government but reiterated that nearly 2000 young people in North Ayrshire had received a digital device and advised that the First Minister and Cabinet Secretary had confirmed in the Programme for Government that the Scottish Government would work with COSLA on a funding model for the distribution of devices to allow the expansion of digital learning.

(4) a question by Councillor Kerr to the Cabinet Member for the Green Environment and Economy in the following terms:

"Does the Cabinet Member regret imposing the largest rent increase for over a decade on Council tenants, only for the HRA to report a £6 million + underspend due to his inability to get capital projects off the ground?"

Councillor Gurney thanked the Member for her question and responded by asserting that the premise of the question indicated a lack of understanding of the Housing budget. The Cabinet Member advised that rent increases had not been imposed on Council tenants by successive Administrations, but rather options were developed with tenants and, in fact, ¼ had voted for a higher rent increase during the latest consultation. He also referred to North Ayrshire having achieved the highest satisfaction levels among Council tenants across Scotland and confirmed that every penny raised in rent would be invested in the housing stock. Councillor Gurney concluded by offering to arrange a private briefing for Councillor Kerr on the operation of the Housing budget, notwithstanding that this topic had been covered in an Elected Member and budget briefings.



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

“It is reported that the national gap in attainment of A to C grades between the most deprived fifth of Higher pupils and their least deprived peers has risen to 16% this year up from 14.9% in 2022 but below the last pre pandemic year of 2019 when the gap stood at 16.9%.

What are the equivalent figures for North Ayrshire Council?”

In terms of Standing Order 14.4, Councillor Marshall requested that the question be taken as read.

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

“This information is not published at local level at this time of year. The service has done some initial analysis, based on the available data at this time. Overall, at higher, the pass rate in S5 in North Ayrshire this year was 70.9%. A total of 1,363 Higher qualifications were attempted by S5 pupils living in SIMD quintile 1 (the most deprived). Of this number, 905 awards were graded at A-C, giving a pass rate for SIMD quintile 1 of 66.4%. In comparison, 698 Higher qualifications were attempted by S5 pupils living in SIMD quintile 5 (the least deprived). Of this number, 528 awards were graded at A-C, giving a pass rate for SIMD quintile 5 of 75.6%. The gap between the pass rate of the pupils living in the most deprived and least deprived areas of North Ayrshire is therefore 9.2 percentage points in 2023. The same gap in 2022 was 6.4 percentage points, and in 2019, the gap was 18.5 percentage points.”

As a supplementary question, Councillor Marshall referred to an aspiration expressed in 2015 by the former First Minister, Nicola Sturgeon, in relation to closing the attainment gap and asked when the Cabinet Member expected this to be achieved in North Ayrshire.

Councillor Macaulay responded by expressing the view that any attainment gap arising from poverty was unacceptable and referred to the range of measures being used to close and eliminate it, including Pupil Equity funding and the provision of support to pupils. The Cabinet Member asserted that it was necessary to tackle the root cause, namely poverty, and hoped, in that regard, that he could count on Councillor Marshall’s support in calling for further powers to be devolved to the Scottish Government.

(6) a question by Councillor Marshall to the Chair of the Licensing Committee in the following terms:

“It is reported by the Scottish Bed and Breakfast Association that 2/3 of B&Bs are at risk of closure due to all the new licensing rules which come into effect on 1 October. It means that anyone providing even a single room in their home for rent must apply for a short-term licence (STL) showing evidence of the buildings and public liability insurance as well as up-to-date energy performance fire safety, gas and electricity compliance reports.

How many businesses in total North Ayrshire must apply for an STL and of that number how many have been granted a licence and how many applications are pending determination?”

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

“There are 491 businesses registered as self-catering premises and 37 premises registered as Bed and Breakfast establishments for non-domestic rates purposes in North Ayrshire. The Council has received 346 applications for a short-term let licence as at 8 September 2023 and thus far granted and issued 190 licences. 156 applications are pending. There have been no refusals of applications received to date.”

As a supplementary question, Councillor Marshall asked whether the Cabinet Member was confident that all relevant premises would be registered by the 1 October 2023 deadline, or if it was likely that some would render themselves liable to penalties.

Councillor Collier responded by asserting that the performance of North Ayrshire Council in terms of processing and granting applications was among the best in Scotland and advised that the Council would be launching a further communication aimed at self-catering establishments. The Chair of Licensing explained that there would be a period of transition but hoped that as many applications as possible would be in place prior to the deadline.

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

“To ask the Leader does she agree that the Administration should be open and transparent so that Elected Members’ Questions at full Council are answered in full thus avoiding the necessity of Members resorting to Freedom of Information requests?”

The Leader thanked the Member for his question and responded by confirming that the Administration would always wish to be open and transparent. Councillor Burns advised that Elected Members could always refer enquiries directly to officers and was unclear why any Member would have to resort to a Freedom of Information (FOI) request.

As a supplementary question, Councillor Marshall referred to a question asked at the last meeting of Council where the cost of benches in Largs and Saltcoats was deemed confidential but had later been revealed following an FOI request. He asked whether the Leader was willing to admit that the Council was not following the principles of Community Wealth Building in that particular case, given that the benches in question had been bought from outwith Ayrshire.

Councillor Burns queried the relevance of the supplementary question to the original question but affirmed the Council's commitment to Community Wealth Building. The Leader advised that the Council had increased the amount of expenditure with local suppliers and would continue to improve in this regard.

(8) a question by Councillor Inglis to the Cabinet Member for Green Environment and the Economy in the following terms:

"As part of the budget in March, the Administration announced the pilot of a community transport scheme. Can the Cabinet Member update the Council on the scheme and how successful it has been?"

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

"At the 30 May Cabinet meeting, the next steps for development of a community transport pathfinder were approved following the budget announcement in March. These were to undertake detailed survey work to understand specific community transport demands so that a pilot scheme can be developed, and also to make Coalfield Community Transport's 'Dayhopper' Service available in North Ayrshire as an initial demand test, with a future report to be brought to Cabinet later in the year outlining further proposals.

Officers have met with several interested community transport stakeholders including Coalfield Community Transport, South Ayrshire Community Transport, Ayrshire CVS and Radio City Association over the summer period to explore different delivery models and are finalising the procurement exercise for the survey work.

Cabinet has agreed to receive a further progress update towards the end of 2023."

(9) a question by Councillor S. Ferguson to the Cabinet Member for Green Environment and the Economy in the following terms:

"On the 31 July 2023 NAC announced that Sanctus LTD had been awarded the £3 million contract to carry out remediation works on the derelict former oil refinery site in Ardrossan, the location for the new community campus.

Regarding the site of the former oil and bitumen refinery in Ardrossan, on which this Council plans to build two schools and a leisure centre, will the Cabinet Member accept that anything less than a guarantee that the site has been 100% cleared of the toxic contaminants we know are in the soil before embarking on building the school and leisure facility?"

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

"The Council has appointed Sanctus to complete the remediation works on the site prior to development works. The tender exercise to appoint a contractor for remediation works was a competitive public sector tender, ensuring the appointed contractor met the requirements of the Council from a cost and quality perspective.

The tender process was informed and developed with support from Envirocentre, who are a specialist environmental consultancy with extensive experience of the site. Envirocentre has been advising the Council in respect of the tender specification to ensure the works package tendered meets the specification required, which reflects information from various intrusive site surveys and analysis of ground conditions. The remediation works incorporate treatment of soil and groundwater to meet specific target criteria and will meet the highest standard according to UK Government Environmental Guidelines.

This means they will ensure that the land is fit for residential use with gardens – which is the strictest criteria laid out within these guidelines."

(10) a question by Councillor McLean to the Cabinet Member for Green Environment and the Economy in the following terms:

"Does the Cabinet Member think North Ayrshire is looking good and well-maintained?"

Councillor Gurney thanked the Member for his question and, noting the wide-ranging nature of the question, advised that, if the Councillor McLean was referring to the blight of privately-owned areas bought by rapacious developers and left to rot, then the answer was 'no'. If, however, the Member was meaning North Ayrshire's beautiful beaches, scenery, top-of-the-range shopping, dining and leisure facilities, then the answer was 'yes'.

As a supplementary question, Councillor McLean made reference to photographs he had obtained of various locations in North Ayrshire, showing graffiti (some sectarian in nature), paths and play areas overgrown with weeds, blocked drainage, poorly-maintained roughcasting on public buildings and street signage covered in stickers, and asked if the Council was allowing places to remain unmaintained and only taking action when a sufficient number of complaints had been received.

Councillor Gurney responded that he could not speak to the specific issues mentioned by the Member but urged Councillor McLean to bring such matters to the attention of officers. The Cabinet Member advised that every penny of the maintenance budget agreed by the Council would be spent. While acknowledging that there were always challenges in ensuring private owners kept ground/property in good order, Councillor Gurney cited the numerous awards won by places such as Stevenston, Saltcoats and Kilwinning, the British Legion's satisfaction around the maintenance of cemeteries and war memories, and the Council's strong performance with regard to clearing graffiti and fly tipping. The Cabinet Member concluded his response by asserting that Council staff were doing a good job and the correct policies were in place, but that he was happy to listen to any specific proposals by the Member.

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

"Is it the opinion of the Cabinet Member that someone who has paid for private healthcare and received a diagnosis should be denied care services from HSCP on the basis of private healthcare diagnosis not factoring in to the normal HSCP clinical pathway or other processes?"

Councillor Johnson thanked the Member for his question and, given that the Member was asking for her opinion on what would be a complex case, declined to respond in the abstract.

As a supplementary question, Councillor McLean sought to provide further detail about a particular case, in order to allow the Cabinet Member to respond.

On a point of order in terms of the Standing Order 13, the Leader expressed concern that the provision of further detail about a particular case by Councillor McLean risked disclosing information which would allow an individual constituent to be identified.

The Provost accepted the point of order and invited Councillor McLean to raise the matter outwith the meeting.

Councillor McLean instead asked, as a supplementary question, whether, with a third of over 50s paying for private healthcare, the Health and Social Care Partnership was attempting to use the question of private diagnoses as an excuse in order to reign in spending.

Councillor Johnson responded by advising that she was not of that opinion.

## 17. Motions

In terms of Standing Order 15, submitted:

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

“Council instructs Officers to review the Policy and Management of Temporary Furnished Accommodation and asks that a report is presented to the Council meeting scheduled for Wednesday 13 December 2023. The report should outline how the policy operates, include consideration of any possible adaptations or improvements which could be made to it to alleviate hardship and should also include detail on any financial implications arising from any proposed changes to the policy.”

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

“Council instructs Officers to review the Policy and Management of Temporary Furnished Accommodation and asks that a report is presented to the Cabinet. The report should outline how the policy should operate, include consideration of any possible adaptations or improvements which could be made to it to alleviate hardship and should also include detail on any financial implications arising from any proposed changes to the policy.”

In terms of Standing Order 16.5 and with the agreement of his seconder, Councillor Sweeney withdrew his motion in favour of the amendment, which became the substantive motion. There being no further amendments, the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) that officers review the Policy and Management of Temporary Furnished Accommodation; and
- (b) that a report be submitted to the Cabinet on how the policy should operate, including (i) consideration of any possible adaptations or improvements which could be made to it to alleviate hardship and (ii) detail any financial implications arising from any proposed changes to the policy.

Councillor Billings left the meeting at this point.

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

“Council acknowledges that in food inflation is currently sitting at 11.8% as of August 2023 and has seen the highest annual food inflation rate for over 45 years.

Council notes that for some school aged young people, the meal they receive at school may be the only substantial meal they receive that day.

Council, therefore, agrees to the following with costs covered from the “Service Concessions”:

1. A scheme to cover any additional P6/7 pupils not covered by Free School Meals in all Primary Schools at a cost of £100,000
2. A Pilot scheme in Kilwinning Academy and Irvine Royal Academy to test the appetite for Universal Free School Meals and measure the impact of it including any increase in uptake at a cost of £370,000

Council instructs officers to begin planning and for the implementation to take place following the October holidays and last until the end of the academic year.”

As an amendment, Councillor Macaulay, seconded by Councillor Larsen, moved the direct negative.

Members asked questions of the mover of the motion and received clarification on the following:

- the rationale for selecting Kilwinning Academy and Irvine Royal Academy and not schools in the Three Towns;
- whether the figures mentioned including staffing costs and, if so, the number of posts;
- whether any capital costs had been considered, for example in terms of the capacity of facilities or increased storage requirements; and
- if there had been any discussion with the Trades Unions or schools about additional dining hall supervision

In terms of Standing Order 16.5, Councillor McDonald, with the agreement of his seconder, expressed a willingness to alter his motion to include provision for schools within the Three Towns. However, on the advice of the Chief Executive and in terms of Standing Order 15.4, it was noted that the proposed alteration to the motion was not competent, on the basis that the inclusion of schools within the Three Towns had not been costed. The motion, therefore, remained as originally submitted.

There followed debate and summing up.

Councillor Gallacher left and rejoined the meeting during debate and, on this basis, intimated his intention to abstain from voting.

On a division and a roll call vote, there voted for the amendment, Councillors Burns, Collier, Davidson, Dickson, S. Ferguson, Gurney, Hill, Johnson, Larsen, Macaulay, Marshall, McClung, McLean, McTiernan, Robertson and Stalker (16) and for the motion, Councillors Bell, Cullinane, Foster, Kerr, McDonald, McPhater, Montgomerie, D. Reid and Sweeney (9), Councillors T. Ferguson, Gallacher, Inglis, Murdoch, D.L. Reid and Stephen, abstaining, and the amendment was declared carried.

Accordingly, the Council agreed not to proceed.

Councillors McPhater and Montgomerie left the meeting at this point.

(3) a motion by Councillor Billings, seconded by Councillor Marshall, in the following terms:

“The deadline for existing short-term let operators to submit their applications for a Short Term Let Licence is 30 September 2023. There is evidence from across Scotland and North Ayrshire that significant numbers of existing operators have not submitted their applications, and that large numbers of providers will stop trading.

Whilst the picture in North Ayrshire is better than in some other areas, the numbers of providers who have still to submit application is still significant. This legislation is causing harm to our economy and will push up the cost of visitor accommodation in Scotland making it uneconomic to visit and do business in Scotland.

A fall of even 10% in short-term let accommodation will impact both accommodation providers but also other business that rely on visitors, such as restaurants, taxis, retail outlets, pubs. Therefore, North Ayrshire Council must add its weight to the campaign to further delay the implementation of this legislation and for the legislation to be reviewed in light of the significant issues currently being experienced.

To this end, North Ayrshire Council directs its Chief Executive to write to Paul McLennan, Scottish Housing Minister, to express the Council’s concerns about the low numbers of existing short-term let providers applying for licenses and the harm that will be caused to North Ayrshire’s tourism industry if existing accommodation providers stop trading. In addition, North Ayrshire Council urges the Minister to listen to the concerns being raised across Scotland and pause the implementation of the Short Term Let Licence legislation. North Ayrshire Council also asks the Minister to review the legislation in light of current issues and put forward a regulatory system that is fair and balanced which supports Scotland’s tourism businesses.”

In the absence of Councillor Billings and in terms of Standing Order 15.1, Councillor Marshall proposed the motion, seconded by Councillor Inglis.



As an amendment, Councillor McDonald, seconded, in the absence of Councillor McPhater, by Councillor Donald Reid, moved as follows:

“Deletes from "There is evidence from across Scotland" and replaces it with:

“Council encourages all existing operators to make their application as soon as possible and informs them that they will be supported by North Ayrshire's Licensing Department if they have any queries.

Council does, however, note the rushed manner that this legislation had been brought about but commends the North Ayrshire Licensing Department and Committee for working to make North Ayrshire's Approach one of the simplest and most generous schemes in the country.

Council further notes that some of the coverage in sections of the press has been unhelpful in getting the message about STL's out and making clear who does and doesn't need to apply.

Council instructs the Chief Executive to write to the Minister for Housing inviting him to meet with North Ayrshire Licensing Committee and Department to learn how the scheme can be implemented in a fair and equitable way.”

As a further amendment, Councillor Collier, seconded by Councillor Larsen, moved as follows:

“The concept of a licensing scheme for temporary lets was first raised by the Scottish Government in 2017 in response to various issues relating to the growing number of short-term lets. In the 5 years before the scheme was passed, comprehensive consultations and impact assessments were carried out to ensure the scheme was fit for purpose and in recognition of the impact of the cost-of-living crisis on the sector, the application date for existing short term let hosts was postponed for six months.

The Short Term Let scheme fundamentally introduced statutory powers over previously unregulated accommodation providers and is designed to ensure properties are appropriate and safe for visitors whilst providing neighbours and communities with formal routes to object to nuisance properties in the locality.

Given the number of licences already granted in North Ayrshire, the efficient, competent, and considerate way the NAC Licencing Team continue to process applications and taking into account the ongoing advice and economic support being offered to our tourism sector, I would ask that Council agrees that the Short Term Let legislation should continue as planned to deliver the long overdue benefits of this new licensing scheme.”

There followed debate and summing up.

On a division and a roll call vote, there voted for the first amendment, Councillors Bell, Burns, Collier, Cullinane, Davidson, Dickson, Foster, Gurney, Hill, Johnson, Kerr, Larsen, Macaulay, McClung, McDonald, McTiernan, D. Reid, Robertson, Stalker, Stephen and Sweeney (21) and for the motion, Councillors S. Ferguson, T. Ferguson, Gallacher, Inglis, Marshall, McLean (6), Councillors Murdoch and D.L. Reid abstaining, and the amendment became the substantive motion.

On a further division and a roll call vote, there voted for the second amendment, Councillors Burns, Collier, Davidson, Dickson, Gurney, Hill, Johnson, Larsen, Macaulay, McClung, McTiernan, D.L. Reid, Robertson and Stalker (14) and for the substantive motion, Councillors Bell, Cullinane, S. Ferguson, T. Ferguson, Foster, Gallacher, Inglis, Kerr, Marshall, McDonald, McLean, D. Reid, Stephen and Sweeney (14), Councillor Murdoch abstaining. There being an equality of votes, the Provost exercised her casting vote in terms of Standing Order 19.6 in favour of the second amendment, which was declared carried.

Accordingly, the Council agreed that the Short Term Let legislation should continue as planned to deliver the long overdue benefits of this new licensing scheme and in consequence there was no need to write to the Minister.

Councillor Stalker left the meeting at this point.

Having declared an interest in the following item of business, Councillor Cullinane left the meeting at this point and took no part in its determination.

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

“New Scots integration

Council reaffirms the implementation of the New Scots Integration Strategy principles within North Ayrshire and seeks to move this into its next phase: taking the innovative approach to inclusivity, on the individual level, in order to create harmonious communities and support individuals in their integration into the wider community and to achieve their full potential.

The Scottish Government’s New Scots Integration Strategy (2018-2022) was based on principles like access to services, freedom from persecution, building strong relationships and connections and inclusive communities. The next Scottish Government policy paper on Integration is yet to be released but discussions within COSLA have highlighted what has been described as ‘insular’ approaches within some schemes and a need to learn and move towards long-term integration approaches.

The purpose of this motion is to plan for the future, to seek greater integration, understanding and community building.

I, therefore, move that Council establishes a Member-Officer working group to review the previous and current integration strategy, its successes, challenges and areas for improvement, incorporating learning from other organisations, to create a real, tangible vision for what we would wish to see in the future, with a report being brought to a future meeting of the Council for consideration. The report should include consideration of options to move towards creating an inclusive, 'individual-integration' approach, rather than a 'community-integration' approach; seeking out ways for individuals to integrate into already existing society/communities/groups without necessarily seeking to create new groups or associations."

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

As a further amendment, Councillor McDonald, seconded by Councillor D. Reid, moved as follows:

"North Ayrshire Council is proud of our record in providing sanctuary to refugees fleeing some of the worst things imaginable in life.

The Council notes the support that has been given to refugees from countries such as Syria, Afghanistan and Ukraine, as well as accommodating unaccompanied asylum-seeking children.

Council acknowledges the excellent work of the Refugee task force, which comprises a wide number of internal and external services and works to identify suitable accommodation and access to services such as GPs, education, and other support services such as ESOL. Council commends the work of the Refugee task force and supports the task force to continue using best practice approaches to support refugees arriving in North Ayrshire.

Councillors wish to put on record our thanks to our communities who have welcomed our new neighbours with care, kindness, and compassion. The actions of our residents have enabled our new neighbours to settle in their new community.

Council reiterates our ongoing commitment to providing sanctuary to refugees from across the world. Council resolves to continue taking part in resettlement schemes as well as expressing a willingness to support asylum dispersal to North Ayrshire.

Council acknowledges the growing 'City of Sanctuary' movement in the UK. Council asks officers to explore options for North Ayrshire Council to support the 'City of Sanctuary' movement, including the option of joining the 'City of Sanctuary Local Authority Network'."

In terms of Standing Order 16.5, and with the agreement of his seconder, Councillor Hill withdrew his amendment in favour of the amendment by Councillor McDonald, seconded by Councillor D. Reid.

Members asked questions of the mover of the remaining amendment and received clarification on the following:

- the relevance of the amendment to the motion;
- whether approval of the amendment would mean that a working group would not be established; and
- the 'City of Sanctuary' movement

At the invitation of the Provost, the Chief Executive confirmed the competence of the remaining amendment as it related to the terms of the motion by proposing an alternative approach to the ask of the motion.

There followed summing up.

On a division and a roll call vote, there voted for the amendment, Councillors Bell, Burns, Collier, Davidson, Dickson, Foster, Gurney, Hill, Johnson, Kerr, Larsen, Macaulay, McClung, McDonald, McTiernan, D. Reid, Robertson and Sweeney (18) and for the motion, Councillors S. Ferguson, T. Ferguson, Gallacher, Inglis, Marshall, McLean, D.L. Reid and Stephen (8), Councillor Murdoch abstaining, and the amendment was declared carried.

Accordingly, the Council agreed as follows:

- (a) to note the support given to refugees from countries such as Syria, Afghanistan and Ukraine, as well as accommodating unaccompanied asylum-seeking children;
- (b) to acknowledge the excellent work of the Refugee task force, which comprised a wide number of internal and external services and worked to identify suitable accommodation and access to services such as GPs, education, and other support services such as English for Speakers of Other Languages (ESOL);
- (c) to commend the work of the Refugee task force and support the task force to continue using best practice approaches to support refugees arriving in North Ayrshire;
- (d) to record its thanks to communities who had welcomed North Ayrshire's new neighbours with care, kindness, and compassion, enabling them to settle in their new community;
- (e) to reiterate the ongoing commitment to providing sanctuary to refugees from across the world and resolve to continue taking part in resettlement schemes, as well as expressing a willingness to support asylum dispersal to North Ayrshire; and

- (f) to acknowledge the growing 'City of Sanctuary' movement in the UK and ask officers to explore options for North Ayrshire Council to support the 'City of Sanctuary' movement, including the option of joining the 'City of Sanctuary Local Authority Network'."

## **18. Urgent Items**

There were no urgent items.

The meeting ended at 5.20 p.m.





# PROVOST'S REPORT

For the period covering: 4 September – 22  
October 2023

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



# PROVOST'S REPORT

For the period covering: 4 September – 22 October 2023

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

## ***Garnock Valley Carves, Manse Field, Beith, 9 September***

On 9 September, I attended Garnock Valley Carves at Manse Field, Beith. The event now in its fifth year saw chainsaw carvers this year, from all over the UK, and Germany, descend on Beith to demonstrate their creative skills and impressive sculptures. This annual event hosts a range of community-based activities and attracts many visitors. Garnock Valley Carves is arranged by a team of volunteers, led by Norrie and Rose Brown, who put in so much of their own time to plan and organise the event for their local community and visitors to the town alike.

## **Barmill Jolly Beggars Burns Club, Celebration Concert, Geilsland Hall, Beith, 1 October**

On 1 October, Depute Provost Sweeney attended a celebration concert hosted by Barmill Jolly Beggars Burns Club in Geilsland Hall, Beith. The concert featured Irvine and Dreghorn Brass Band and Beith Theatre Choir Group. This was an excellent afternoon of entertainment showcasing the amazing musical talent we have here in North Ayrshire. The event highlighted the vibrant communities in which we live and the outstanding work of volunteers, in this case the Barmill Jolly Beggars Club, who arranged this special event.

## **Kirking of the Deacon Convener of Irvine Incorporated Trades, Old Parish Church, Irvine, 8 October**

On 8 October, the Depute Provost attended the traditional Kirking of the Deacon Convener of Irvine Incorporated Trades. This started with a procession from Irvine Town House to Irvine Old Parish Church where the official service took place. Many people representing various local organisations in Irvine attended the ceremony.





### ***Auchenharvie Academy Celebrating Success Ceremony, Stevenston, 11 October***

The Depute Provost attended Auchenharvie Academy's Celebrating Success Ceremony on 11 October, which took place in the school. This ceremony highlighted the skills and talents of the pupils and was a wonderful opportunity to acknowledge and celebrate their achievements.

### ***Go Purple for the Ayrshire Hospice, 13 October***

On 13 October, the Ayrshire Hospice held its annual Go Purple fundraising campaign. Many schools and local organisations took part in raising funds for the Hospice who provide exceptional care to those affected by life-limiting illness and to their families. To raise awareness of this campaign Saltcoats Town Hall and Kilwinning Abbey Tower were lit up purple.

### ***Mrs Robina Sampson 100<sup>th</sup> Birthday, Kilbirnie, 21 October***

On 21 October, I visited Mrs Robina Sampson, of Kilbirnie who was celebrating her 100th birthday. I was extremely delighted to offer my congratulations to Mrs Sampson and celebrated with her family, friends and neighbours.

### ***Festival of Juvenile Piping, St Matthew's Academy, Saltcoats, 21 October***

In the afternoon of 21 October, I had the pleasure of presenting the prizes at the annual Festival of Juvenile Piping Competition, which was held in St Matthew's Academy, Saltcoats. The event was attended by young musicians from all over Scotland who inspired us all with their ability and expertise in traditional music.

PROVOST'S REPORT



A handwritten signature in blue ink that reads "Anthea Dickson". The signature is fluid and cursive.

Councillor Anthea Dickson  
**Provost North Ayrshire Council**



North Ayrshire Council  
Comhairle Siorrachd Àir a Tuath

# LEADER'S REPORT

For the period covering: 4 September – 22  
October 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



# LEADER'S REPORT

For the period covering: 4 September – 22 October 2023

## ***IRVINE LOCALITY PARTNERSHIP MEETING, 4 September***

On 4 September, I attended a meeting of the Irvine Locality Partnership held in Fullarton Connexions. The Partnership discussed and subsequently approved a Community Investment Fund (CIF) application by Community Housing Advocacy Project (CHAP) to enable the provision of outreach venues throughout Irvine for two Advice workers. There were also expressions of CIF interest from Fullarton Community Association (for an Outdoor Gym), Turning Point Scotland (for the creation of a college course for people in recovery) and from Broomlands and Bourtreehill Community Association (BABCA) for funding towards the creation of a community garden. All three expressions of interest were approved and will now proceed to full CIF Applications.

The Partnership also received updates on the progression of the Irvine Chit Chat Poverty Action Plan, an update from Police Scotland, an update from Irvine Community Council and an update from the Irvine Locality Officer.

## ***SPECIAL MEETING OF COSLA LEADERS', 5 September***

I attended a special meeting of COSLA Leaders' on 5 September to discuss the Local Government Pay offer.

## ***IRVINE ROYAL ACADEMY PRIZE GIVING, 6 September***

On 6 September, I was delighted to be invited along to Irvine Royal Academy Prize giving evening.

It is always great to hear the wonderful achievements of our pupils and I would like to commend the teaching staff and pupils for their hard work during the academic year. Well done and best wishes for the year ahead.

## ***AYRSHIRE ECONOMIC PARTNERSHIP BOARD, 7 September***

I attended a meeting of the Ayrshire Economic Partnership Board on 7 September where partners agreed that I would be appointed Chair of the meetings from September until 31 August 2024.

## LEADER'S REPORT



Attendees received updates on the Ayrshire Growth Deal (AGD) Internal Audit Plan 2023/24 and the AGD Internal Audit Plan 2023/24. These will now be presented to the Ayrshire Joint Economic Committee for consideration.

There were also further updates on the AGD and an update on the AGD programme risk register.

Signed in November 2020 the AGD is a £251.5 million ten-year investment programme covering the three Ayrshire local authority areas. This funding will support a range of activities across six themes (Aerospace and Space; Economic Infrastructure, Energy, Circular Economy & Environment; Tourism; Digital and Communities). Amongst other outputs, the Deal is projected to unlock private investment and generate up to 7,000 jobs.

### ***AGE SCOTLAND MEETING, 8 September***

On 8 September, I had an introductory meeting with representatives from Age Scotland and the Senior Older People's Assembly (SOPA) following my appointment as North Ayrshire Council's Older People's Champion. Discussion focused on the role of the Older People's Champion and the Scottish Older People's Assembly. Age Scotland and SOPA are two organisations which support organisations with their work with our elderly communities.

### ***COSLA BUSINESS GATEWAY BOARD MEETING, 8 September***

Later, on 8 September, I attended a meeting of the COSLA Business Gateway Board where attendees received updates on the Marketing and Digital Services and the draft National Service Specification (NSS) that has been developed by a project team comprising members of the business Gateway National Unit and Ambassadors from the wider network.

Since 2016 there have been a number of changes in terms of how Local Government manages and delivers the NSS including work with partners as well as the changes that have been brought forward by the Enterprise Skills Review and, more recently, the National Strategy for Economic Transformation, the First Minister's Policy Portfolio and the Verity House Agreement.

### ***NHS HEALTHCARE GOVERNANCE COMMITTEE MEETING , 11 September***

On 11 September, I attended an NHS Healthcare and Governance Committee meeting where attendees received updates on various Patient Safety Reports and a presentation on the Food,

## LEADER'S REPORT



Fluid and Nutrition action plan. The Committee also received updates on various Corporate Governance reports.

The Committee also discussed Unplanned Activity (UNPAC) Policy and UNPAC Appeals Process Policy and what measures were in place to ensure robust management of the service.

### ***AYRSHIRE SKILLS INVESTMENT FUND SUB COMMITTEE, 11 September***

Later on 11 September, I attended an Ayrshire Skills Investment Fund (ASIF) Sub Committee meeting. The ASIF will provide a flexible and responsive skills fund for Ayrshire's businesses and residents and will support inclusive growth and Community Wealth Building principles.

It is aimed at helping employers grow and develop their employees and increase skills for Ayrshire residents, linking them to growth sectors and employment opportunities, with the objectives of reducing unemployment and increasing productivity. The fund supports skills development, where funding currently does not exist. This will fund the gaps in the skills system and contribute to develop the skills needed to support regional, inclusive, economic growth.

### ***IRVINE TENNIS CLUB OFFICIAL OPENING, 11 September***

On the evening of 11 September, I was delighted to be invited along to the official opening of the Irvine Tennis Club refurbished courts at Thornhouse Avenue. It was also a pleasure to welcome Judy Murray to do the official opening ceremony.

The Irvine Tennis Club received £100,000 from the North Ayrshire Council Community Investment Fund last summer and together with funding from sportscotland, have brought the courts back to life. Well done to all those involved.

### ***COMMUNITY PLANNING PARTNERSHIP BOARD, 14 September***

On 14 September, I chaired a meeting of the Community Planning Partnership which focused on the theme of "Work". Community Planning Partners discussed what support they could provide to improve work outcomes for the communities of North Ayrshire.

CPP Partners also received an update on the work being done to combat Child Poverty and the Cost of Living by North Ayrshire Council Executive Director for Education and Communities, Audrey Sutton.

## LEADER'S REPORT

***VISIT TO INVERCLYDE SPORTS CENTRE, 15 September***

On 15 September, together with my colleague, North Ayrshire Council Depute Leader, Councillor Shaun Macaulay and Rhonda Leith, Head of Connected Communities at North Ayrshire Council, I visited sportscotland Inverclyde Sports Centre.

The visit was primarily to meet with the team there and hear about some of great work they are involved in. The centre offers a range of facilities with inclusivity at its heart. They offer residential stays that provide powerful learning opportunities within a sports setting which help young people develop the skills they need to become successful, confident, effective and responsible individuals.

My thanks to Barry Fleeting for facilitating the visit and for taking the time to show us round.

***AYRSHIRE ECONOMIC PARTNERSHIP BOARD MEETING AND AYRSHIRE ECONOMIC JOINT COMMITTEE MEETING, 18 September***

On 18 September, I chaired a meeting of the Ayrshire Economic Partnership Board (AEPB) meeting immediately followed by a meeting of the Ayrshire Economic Joint Committee (AEJC). The AEPB received a presentation on the Ayrshire Regional Economic Strategy Delivery Plan and were asked to endorse the draft Year One delivery plan. This was endorsed and subsequently submitted to the AEJC for their approval.

It was also agreed that future Delivery Plans for future years', would be brought before the AEPB and AEJC for approval.

***BOURTREEHILL PARK STAKEHOLDERS MEETING, 18 September***

Later on 18 September, I attended a meeting of the Broomlands and Bourtreehill Community Association at Towerlands Community Centre. Attendees received updates on the Farm Basket community larder, garden issues and older people's Christmas update.

***COSLA SPECIAL LEADERS' MEETING, 19 September***

On 19 September, I attended another COSLA Special Leaders' meeting to discuss the Local Government Pay Offer.

## LEADER'S REPORT



### ***CUNNINGHAME HOUSING ASSOCIATION GARVEN ROAD GROUNDBREAKING, 20 September***

On 20 September, I was invited along to the Cunninghame Housing Association groundbreaking event at Garven Road in Stevenston. North Ayrshire Council has supported the development at Garven Road which is at the site of the former Ardeer Primary School.

The £4.46m project, which is supported by £3.2m Scottish Government grant funding, will provide 20 new homes including the provision of one amenity home and one wheelchair liveable home helping to address the particular needs of North Ayrshire residents and promote independent living. The development is due for completion by September 2024.

### ***IMPROVEMENT SERVICE – ANCHOR CWB EVENT, 20 September***

Also on the 20 September, I attended an online workshop delivered by The Improvement Service and Public Health Scotland (PHS), to discuss the role of Anchor Institutions in relation to improving local economies and delivering Community Wealth Building.

Local authorities are well-placed to recognise and respond to the particular economic challenges and opportunities within our communities and are therefore, key in bringing partners together to address these challenges. As Chair of the CWB Commission, North Ayrshire Council has played a leading role in driving CWB in Ayrshire. We were able to capitalise on our strong relationships with our Community Planning Partners to bring together the CWB Commission, which has a key remit of encouraging Anchors to share their experiences and learning of implementing CWB.

### ***COSLA SPECIAL LEADERS' MEETING, 21 September***

On 21 September, I attended another COSLA Special Leaders' meeting to discuss the Local Government Pay Offer.

### ***OPENING OF WILLIE MACKIE HUB AT AYRSHIRE COLLEGE, 21 September***

Also on 21 September, I was delighted to be invited to attend the official opening of the Willie Mackie Hub at Ayrshire College campus in Kilwinning.

The new Hub will replace the College's existing workshop facilities at Nethermains and enable the College to offer a dynamic and flexible curriculum aligned to the needs of local and national skills priorities. The low carbon two-storey building will provide a flexible learning space that



## LEADER'S REPORT



can respond to emerging technologies to upskill the workforce of the future in Engineering, Construction and SMART Technologies. The College facility will be supported by green technologies using air source heat pumps for the building's heating systems.

### ***NHS AUDIT AND RISK COMMITTEE MEETING, 27 September***

On 27 September, I attended a meeting of the NHS Ayrshire and Arran Audit and Risk Committee meeting. Attendees received a presentation from the Head of Counter Fraud Services, Mr Gordon Young, on the Counter Fraud Liaison Report. There were also updates on several internal Audit reports as well as an update from Audit Scotland on their Adult Mental Health report.

The next meeting will be held on 16 November.

### ***COSLA CONFERENCE AND CONVENTION, 28 & 29 September***

On 28 and 29 September, I attended COSLA Conference and COSLA Convention held at the Crieff Hydro in Perthshire.

Convention Agenda items included an audited financial statement for Year ending 31 March 2023, Fiscal Framework for Local Government, Human Rights Bill Consultation and an update on the Verity House Agreement.

The Verity House Agreement (VHA) was approved by COSLA and the Scottish Government in June 2023 and forms part of the "New Deal for Local Government" and though not legally binding, is a public statement on how the Scottish and local governments will work together to support communities.

### ***CHALLENGE POVERTY WEEK, 2 – 9 October***

Between 2 and 9 October, the Council once again supported the Poverty Alliance's Challenge Poverty Campaign. This is the eighth year we have taken part and the week provided the opportunity to highlight some of the outstanding work undertaken by our communities in providing food and help to our residents in need, financial support provided to household tenants, help given by our financial inclusion team and sustainable ways of travel promoted by our Active Travel team.

I was also delighted to attend a lunch hosted by the Friends of Redburn, highlighting some of the great work they do to provide low cost, nutritious meals for our communities, using produce

## LEADER'S REPORT



donated by volunteer organisations in North Ayrshire. My thanks also to the pupils from Greenwood Academy and Irvine Royal Academy who came along on the day to help out and to gain some skills that will be used towards an SQA qualification. Also, thanks to all our community larders and growers/groups who provide nutritious and fresh produce to our volunteer groups.

Thank you to all the teams who took part and helped to promote some of the great work being carried out in North Ayrshire to combat poverty.

### ***CAFÉ MELBOURNE, 2 October***

On 2 October, I was invited along to Café Melbourne in Saltcoats by Age Scotland in Saltcoats to attend the Three Towns Veterans Breakfast Club award presentation.

It was a pleasure to go along and hear about some of the great work the group have been doing in and around the local community.

### ***A SPOTLIGHT ON CLIMATE CHANGE, 2 October***

Later, on 2 October, I attended “A Spotlight on Climate Change” engagement event held at Lanfine Community Centre in Irvine. This was one in a series of events organised by our Sustainable team throughout each of our localities in North Ayrshire. These events are looking to have useful conversations with our communities to help North Ayrshire Council understand local priorities for action and to then, use this information to help us refresh our current Environmental Sustainability and Climate Change Strategy.

Tackling climate change is one of the key priorities in North Ayrshire Council’s Plan for the next five years. My thanks to David Hammond, Head of Service and the Sustainability team for all their hard work in putting these events together and for their continued work.

### ***COST OF LIVING FUND WORKSHOP, 4 October***

On 4 October, as part of the continued work of “The Child Poverty and Cost of Living Board”, I attended a workshop held at Redburn Community Centre.

During the past year, The Child Poverty and Cost of Living Board has welcomed the support of our partners and communities through our mini enquiries. This has been extremely valuable, and this event gave partners an opportunity to discuss the findings and gauge their initial thoughts as to where they thought funds should be allocated.

## LEADER'S REPORT



My thanks to everyone who attended and took part in the discussion.

### ***STEM TRAIL LAUNCH, EGLINTON COUNTRY PARK, 6 October***

On 6 October, I was delighted to attend the official opening of the North Ayrshire STEM trail at Eglinton Country Park. North Ayrshire Council's STEM Education Team has formed a unique partnership with the Countryside Rangers on the project, which is aimed at educating young people about their surroundings in a fun way.

My thanks to Tim Dreyer, North Ayrshire Council's STEM Co-ordinator and our Ranger Service for their great collaboration.



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

Councillor Marie Burns  
Leader of North Ayrshire Council



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## NORTH AYRSHIRE COUNCIL

1 November 2023

### Council

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**Title:** North Ayrshire Community Planning Partnership (CPP) Board:  
Minutes of Meeting held in September 2023

**Purpose:** To submit the Minutes of the meeting of the North Ayrshire Community Planning Partnership Board held on 14 September 2023.

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

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### 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 14 September 2023 are appended. This meeting focused on the Local Outcomes Improvement Plan 'Work' priority. Particular matters for the Council's attention include the following:

#### **Meeting of September 2023**

##### Agenda Item 3

CPP partners received an update on the work of the Local Employability Partnership, which is the strategic group supporting the Local Outcomes Improvement Plan 'Work' priority. This included an overview of progress to date, key statistics around employment and participation and an update on key projects across partners including sector-based work academies and an enhanced parental employment offer and the Employability Awards which will take place in November 2023 to celebrate the success of individuals and employers.

##### Agenda Item 4

Partners received an overview the key work taking place through Job Centre Plus in North Ayrshire including outreach work with older people and increased job coach support. Partners also heard about the impact of the Pan-Ayrshire job fayre that took place at Prestwick Airport in August where over 1,000 were in

attendance. To date, 100 people have been offered work with several returning to full time education.

#### Agenda Item 5

An update on progress with the current Community Learning and Development Strategic Plan was provided. This included an overview of achievements across Youth Work, Adult Work and Community Capacity including joint Cabinet, the Summer Youth Services Programme, community food larders and ESOL support activities. The CPP Board were informed that the HMIE will be conducting a progress visit for three days from 18th September and assisting partners were thanked.

#### Agenda Item 6

This is currently a standing item. CPP partners received an update on the work of the Child Poverty and Cost of Living Board including two Child Poverty funding opportunities from the Scottish Government. A workshop will be held on 4th October to identify opportunities for investment through the funds. Further investment has been allocated by Scottish Government through the Islands Cost of Living Crisis Emergency Fund (£57k). Performance measures have been identified for discussion and the next update will go to the Council's Cabinet in November 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 - 14 September 2023

## **Present**

### **North Ayrshire Council**

Cllr Marie Burns, Elected Member (**Chair**)  
Cllr John Bell, Elected Member  
Cllr Scott Davidson, Elected Member  
Cllr Alan Hill, Elected Member  
Cllr Shaun Macaulay, Elected Member  
Audrey Sutton, Executive Director  
Rhonda Leith, Head of Service

### **Ayrshire College**

Angela Cox, Chief Executive & Principal

### **Department of Work and Pensions**

Sheila Lynn, Service Leader

### **North Ayrshire Health and Social Care Partnership**

Caroline Cameron, Director

### **NHS Ayrshire and Arran**

Claire Burden, Chief Executive  
Ruth Mellor, Consultant in Public Health

### **Police Scotland**

T/Chief Superintendent Raymond Higgins

### **Scottish Enterprise**

Brian Connolly, Engagement Partner

### **Scottish Fire and Rescue Service**

Ian McMeekin, Local Senior Officer

### **Scottish Government**

Sam Anson, Location Director

### **Scottish Partnership for Transport**

Allan Comrie, Senior Transport Planner

### **Skills Development Scotland**

Shona Mitchell, Head of Operations South-West

### **The Ayrshire Community Trust**

Kaileigh Brown, Executive Director

## **In Attendance**

Jacqui Greenlees (NAC), Jennifer McGee (NAC), Lesley Dunlop (NAC), Laura Neill (NAC), Angela Morrell (NAC)

## **Apologies**

Craig Hatton, Chief Executive (NAC), Vicky Yuill (Arran CVS), Superintendent Derek Frew, Cllr Timothy Billings, Elected Member



## 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 22 June 2023 were approved.

## 3. LEP Update

The Chair highlighted that today's meeting will focus on the Work Priority and invited Laura Neill to share her presentation on the work of the Local Employability Partnership with the Board.

L Neill advised that as part of the No One Left Behind delivery plan the Partnership was launched in April 2022 with a baseline taken at that time.

L Neill provided the Board with the following information on progress made up until July 2023:

- The current unemployment level is 4.6%. This is a 1.1% reduction.
- The current employment rate is 71.3%. This a 3.5% increase (4,600 more people are in employment in North Ayrshire)
- Weekly wage rate £634.90 (increased by £10.90 - 13th highest rate in Scotland and average of £18.13 hourly rate)

### Economic Inactivity

- July 2023: 27.7%. This is a 3.1% reduction from April 2022. (3,800 people): 4th highest economic inactivity rate
- People receiving benefits but wanting a job – 30.3% (increase from 21.6% and 2nd highest rate)

### Disability Employment Rate

- April 2023: 64.9%. This is a 15.9% reduction from 2022.

### Youth Employment Rate

April 2023: 53.2%. This is a 16.6% reduction from 2022

### Participation Measure (16-19 year olds)

- 93.9%. This is an increase of 3.1% with 2nd highest increase in participation in Scotland. This figure is one percent below the national average.

L Neill also highlighted the progress that has been made:

### Young People (16-24 year olds)

- Data Hub: Community Animation Team (Barnardos). This project has received great feedback from the parents.
- Engagement: DWP Partnership. Currently working with 140 young people supporting them to engage with the third sector including hospitality, retail and construction and linking into the Step Into Business programme.
- Sector Based Work Academies

### Parents

- Enhanced parental employment offer
- Child Poverty Coordination – Parental Employment Team
- Parent Hub (We Work for Families)

- Skills for Life - 85 new places 2023/24 – Council, Third Sector & Anchor Organisations). This involves paid work experience with wraparound support.
- Step into Business
- Care at Home
- Vocational Training – Employed Parents

### **People with disabilities & long term health conditions**

- Equal Programme - Every Friday afternoon, a group of neurodivergent Equal recruits attend the Top Table club for an action-packed gaming session similar to Dungeons and Dragons.
- Employer Engagement

### **Increase Reach**

- Careers Event – School Transitions (March 2023). Over 650 young people attended the event in Ayrshire College. These events will continue as they highlight opportunities for young people.
- Employability Week (May 2023). Next year Employability Week will be the last week in May.
- No One Left Behind Grants Programme (September). This is delivered by The Ayrshire Community Trust working alongside the third sector in our communities.
- Employability Awards (November 2023). The event will celebrate the success of individuals and employers who support us.

L Neill informed the Board that the LEP working group involving partners from across North Ayrshire meet weekly for an hour.

L Neill highlighted the strategies that the LEP are involved in with partner agencies:

- No One Left Behind
- Ayrshire Regional Working Strategy
- UK Shared Prosperity Fund
- Ayrshire Growth Deal
- Child Poverty Action Plan
- Ayrshire Regional Skills Investment Plan

L Neill shared details of the Ayrshire Skills Investment Fund:

- £3.5 million
- September 2023 – March 2028
- Launch applications for grant support - FE/HE & Employers
- Priority Sectors - Engineering, Digital, Visitor Economy, Clean Growth
- Priority Groups - Young People, females, people with long term health conditions, people in low paid employment

The aim is to work alongside 500 employed and 500 unemployed participants, assist 300 participants to gain an accredited qualification and assist 300 businesses with workforce skills development.

L Neill highlighted the Working for a Healthy Economy

- £5 million funding available.
- It has been contracted to NHS Salus
- The programme begun in May 2021 and is a 6 year programme.
- Health Interventions
- Aim is to support 2871 employed and 4629 unemployed participants. 1218 people have been supported to date.
- Regional Approach
- Integrated – Employability Services & Pipelines
- Employer Engagement

The Chair invited comments and questions from the Board.

Councillor Bell advised that it is great to see the amount of work going on and the opportunities available. He enquired about reasons for non-engagement. L Neill advised that Covid had a huge impact on young people disengaging. The Community Animation Project with Barnardos has been utilised to re-engage young people. The LEP hold data which has information on young people who are not engaging, and they can try to contact them personally. This has helped with engagement levels, which are now increasing. 140 young people are involved in joint working with the DWP, with a series of programmes and opportunities available. With regards to the Young Person's Guarantee this has been incorporated into the No One Left Behind programme.

Ian McMeekin enquired what is happening to support the infrastructure as well as employment. Agencies such as the Coastguard, RNLI and SFRS rely on volunteers and it is an increasing problem trying to recruit. Sheila Lynn advised that recruitment across the spectrum is affected by mental health. A lot of young people are not interacting with society as a whole. In North Ayrshire in the last month seven support funds have been put in place regarding mental health. The Kickstart initiative previously worked very well however the places were for one year so this could impact on the numbers of people not engaging as the places come to an end. There is an increase in those aged 50 and over not engaging. Another area of concern is transport in rural areas. S Lynn highlighted previous work undertaken with I McMeekin and agreed that this was very helpful. Volunteering can increase confidence and skills and help get people back into work.

Allan Comrie highlighted that the ageing population can have an impact on employment and also employment opportunities. The Chair advised that the Council is aware of the declining population in North Ayrshire and measures are being put in place to attract more people to the area. Caroline Cameron highlighted that the older population needs care, and a large number are remaining at home and there has been a huge recruitment drive undertaken by the HSCP. There are also alternative supports are being explored where people can be assisted with technology which reduces the demand on staff.

The Chair thanked L Neill for her presentation and acknowledged the opportunity for joint working.

#### **4. Job Centre Plus**

Sheila Lynn provided the Board with an update on the work of Job Centre Plus.

S Lynn highlighted:

- The efforts to encourage the older generation, who may have retired early, back into the workforce. They often have many transferable skills and can share these skills with the younger workforce.
- The DWP have a segmentation tool which highlights the areas where people are looking for jobs in North Ayrshire – these are retail, admin, construction and food industry. From the employer's perspective they are looking for workers in the tourism sector, finance and business sector and construction.
- The recent closure of Wilko in Irvine saw a loss of 18 jobs. Potentially 14 staff have been offered alternative employment. In the Kilbirnie/Saltcoats/Irvine area there are currently 19 retail jobs available so in theory these could be matched with the staff from Wilko or they could change jobs altogether. A drop-in session is being held on Monday with Job Coaches available to assist.
- A Jobs Fair was held at Prestwick Airport on 11 August which included a wide range of employers. This was a Pan- Ayrshire event with 1391 people attending. As a result of this event, 100 people have been offered work with 27 of these receiving an offer on the day and 14 people have returned to full time education.
- The Universal Credit Childcare payment has increased. This will hopefully encourage parents into work with up to 85% of the costs being covered. They will have the funds available to pay the first month in advance.

- Increased Job Coach support is being made available with the DWP recruiting additional coaches to assist people with health conditions to get into work.
- The move to Universal Credit is ongoing. It began in the West of Scotland on 7 August with support available via telephone, citizens advice and online. The first group of customers has moved over slowly with support. Of the almost 23,000 people to move over 7,800 have currently made a claim with 4930 being awarded transitional protection. S Lynn has two colleagues who are experts in Universal Credit who she is happy to invite to a future meeting if more information is required.
- A new project - Access to Work Plus - is being launched and it will also have grants available to assist employers to make their buildings accessible.

The Chair invited comments and questions from the Board which included:

- Ruth Mellor thanked S Lynn for her update and enquired about the use of sanctions. S Lynn informed that there has not been a strong focus on sanctions rather on wellbeing and making sure people are safe. The main focus has been around failure to attend and non-engagement however sanctions are the last resort. There are currently more jobs than people. It is not just about jobs, it is also about supporting people as they move into work.

The Chair thanked S Lynn for her presentation and acknowledged the opportunity for joint working.

## **5. Community Learning and Development**

Angela Morrell provided the Board with a presentation on the work of the Community Learning and Development Strategic Plan.

A Morrell informed that the HMIE will be conducting a progress visit for three days from 18<sup>th</sup> September and thanked all partners who will be assisting with this.

A Morrell highlighted that as part of the strategy there is a working group involving Officers, Elected Members and Partners looking at how people participate in North Ayrshire not just the partners. Mapping was also undertaken which gave people the opportunity to have their voice and also have an influence. This highlighted 200 different groups and opportunities that are available.

A Morrell highlighted the following:

### **Youth Work**

- Two Joint Cabinets have been held which, as a result of self-evaluation from the young people, were more interactive. They worked really well and resulted in a more detailed action plan. More Council services were invited to the meeting which allowed the young people to speak to them about issues directly.
- One Joint Cabinet solely for care experienced young people was held with support from the Promise Team. The action plan is being finalised and the young people will be brought together to hear answers to their questions.
- The Summer Youth Services Programme was focussed on wellbeing.
- Holiday meals and activities were organised alongside Facilities Management and other community teams.
- 391 national awards being carried out through the CLD team's locality and thematic work including PDA in Youth Work, Hi 5 Awards, John Muir and SVQ Level 2 and 3 in Youth Work
- 264 young people completed their Duke of Edinburgh Awards with an additional 174 completing sectional towards their DofE, working through their bronze, silver and gold awards through school and community groups.
- Over 90 young people have received certificates through the Mental Health and Wellbeing Mini Ambassador programme and Drama for Wellbeing

## **Adult Work**

- Number of adults engaged in CLD activity (adult learning and capacity building) 6,314. Courses such as larder volunteers undertaking REHIS, literacy and health & safety were undertaken.
- Community Based Adult Learning: ESOL CLD community development tutors currently provide 25 ESOL support activities a week. Videos were shared to show examples of programmes in Towerlands and the Maritime Museum.
- The Multiply Project: As part of the UK Shared Prosperity Fund (UKSPF), this project aims to boost people's ability to use maths in their daily life, at home and targets learners who are 19+ that have not previously attained a level 2 SCQF, level 5 or higher maths qualification. The Multiply team have used summer 2023 to promote and increase visibility for the project and engaged with 1500 in terms of promotion events.
- Funding has been identified for 3rd Sector partners utilising the 3rd Sector and working with TACT.

## **Community Capacity**

### **Food Insecurities**

- Currently 14 food larders across North Ayrshire support over 3000 households with dignified food provision. Increasingly moving towards a "No wrong Door Ethos"
- Wee School Pantry in Kilbirnie has been trialling a stock management system co-produced with the full network
- The food forum has been reestablished and now meets every 6 weeks with great attendance
- Established links between the Growers and the larders to support use of produce.

### **Community Benefit List**

- 11 wishes have been delivered this quarter, bringing the total in 2023 to 28 wishes.
- A total of 61 wishes have been delivered through the Community Benefits Wish List since it launched in October 2021.

### **Community Capacity and Unmet Need**

- Mapping and consultations have been completed with older people and draft structure to be agreed at the November Conference.
- 29 activities running across 4 hubs.
- Three entertainment committees have been established within the engagement hubs in Saltcoats, Irvine and Kilbirnie with a fourth underway in Dalry.
- MS and Disability committee were recently awarded £10,500 secured from the Social Isolation and Loneliness funding for three years full sustainability for the group.
- The Leader of the Council is welcomed as the new Older Peoples Champion.

### **Overall Highlights**

- The Holiday Meals programme was successful. An example of 4945 meals served in Irvine over the 4 week period was shared. The locations were increased from 17-20.

The Chair invited comments and questions from the Board.

I McMeekin highlighted that an increase in accidental fires from cooking can occur. He would like to link in with the Food Forum. A Morrell agreed to facilitate this.

### **Action: A Morrell**

The Chair thanked A Morrell for her presentation.

## **6. Child Poverty and Cost of Living**

Audrey Sutton provided the Board with an update on Child Poverty and Cost of Living.

A Sutton highlighted two Child Poverty funding opportunities from the Scottish Government and thanked all partners who have been involved in the application process. A Sutton informed the Board that the applications focus on improving our use of data to improve reach across North Ayrshire. The recent mini enquiries highlighted the range of help that is available however it needs to be coordinated and targeted in the correct areas.

### **Child Poverty Cash First Fund**

The fund promotes direct access to cash and eventual discontinuation of foodbanks. Partnerships will be provided with a total of up to £200,000 over 24-months for activities linked to the Fund's objective. North Ayrshire's application looks to enhance urgent access to cash by developing a team to lead North Ayrshire Single Shared Assessment (NASSA) and embed a No Wrong Door approach across North Ayrshire, to ensure that those contacting NAC will only need to complete a single assessment form to access support to maximise income from employment; maximise income from benefits; and access cost of living support. This will enable more accurate and useful data to be collected to target support to those most in need, including the six priority family groups.

To provide key resources to enable upskilling of professionals and volunteers across North Ayrshire agencies to guarantee that those who require urgent access to cash can do this as a priority through a 'No Wrong Door' approach, to ensure ongoing support including money management, budgeting and support, thus helping residents get out of the cycle of debt, health and wellbeing support.

### **Child Poverty Practice Accelerator Fund**

The fund aims to enhance an area's approach to tackling child poverty. It will support small scale projects to generate evidence on a known problem, adapt a promising approach from elsewhere to work in your area, or re-design a service or services to deliver greater impact on child poverty. The budget for CPAF activities is expected to be up to £80,000 per grant. North Ayrshire's application looks to use this funding to recruit a project manager and part-time business improvement officer who will coordinate and support a range of innovative projects in this area with key activities including: scoping out the current data landscape; implementing a single shared assessment; working in partnership with Scottish Government and the Department for Work and Pensions to modify data reuse permissions; and participating in a pilot with Social Security Scotland, the Improvement Service, and Glasgow City Council on the ethical use of data to target support.

A Sutton advised that the applications have been submitted on behalf of the partnership comprising North Ayrshire Council, NHS Ayrshire and Arran and TSI. A complementary application has been application submitted by NHS Ayrshire and Arran with the purpose of evaluating current and planned work and identifying what works.

A Sutton provided the Board with an update on Cost of Living including:

- The next six-monthly update will go to the Council's Cabinet in November 2023.
- Performance measures have been identified for discussion at the Child Poverty and Cost of Living Board
- Workshop will be held on 4th October to identify opportunities for investment through the Early Intervention Child Poverty and Cost of Living Fund
- Further investment has been allocated by Scottish Government through the Islands Cost of Living Crisis Emergency Fund (£57k). The previous allocation funds Money Matters, Energy Smart, school activities, Third Sector initiatives and equipment for health and wellbeing activities. The £30,000 third sector fund will be topped up with a new allocation from the additional £57,000. A presentation will be taken to the Locality Partnerships. A Sutton is happy to share this at a future meeting.

- After commitment to digital devices and cancelling school meal debt there is £170,000 remaining in the budget. A meeting will be held on 4 October to assess where the funding can be utilised.

The Chair thanked A Sutton for her update.

## **7. Partner Updates**

Sam Anson highlighted that the Programme for Government was published last week. It is pro-growth and anti-poverty taking the Team Scotland approach. The UK Government budget statement will be made on 22 November therefore the Scottish Budget will be announced in December. Work on RAAC is ongoing at this time.

Brian Connolly highlighted work by OECD rural innovation and how the Garnock Valley acted as a best practice example in that area. Findings will be published re the work undertaken.

Ian McMeekin advised that the local fire plan reviews are coming to an end and that he would be keen to bring them to the Board for feedback. The Chair supported this.

### **Action: L Dunlop**

Jacqui Greenlees highlighted that the work on the CPP website and Community Directory has begun with the developer this week. Board members may be contacted to assist with testing.

Allan Comrie highlighted the suspension of peak rail fares from 2 October as part of a 6 month pilot. The Chair replied that this is a welcome initiative, and it will be interesting to see how it impacts travel. There will be a midterm update and then the full report at the end of the pilot. It will be interesting to see the impact on the use of cars and other public transport.

## **8. AOCB**

No other business was discussed.

The next meeting of the North Ayrshire CPP Board will be held on **Thursday 7 December at 11.15 am via Microsoft Teams.**





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# NORTH AYRSHIRE COUNCIL

1 November 2023

## North Ayrshire Council

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**Title:** Council Tax Multipliers – Scottish Government Consultation

**Purpose:** To resolve the Council's position on any response to the Scottish Government's Consultation on Council Tax Multipliers.

**Recommendation:** Council is requested to note (i) the decisions of Cabinet and the recommendations of the Audit & Scrutiny Committee in relation to the proposed consultation response to the Scottish Government's consultation on Council Tax Multipliers, (ii) that the procedure for finalising any consultation response now rests with full Council in accordance with Standing Orders and (iii) that Council now requires to determine:

- (a) whether to respond to the Scottish Government's consultation on Council Tax Multipliers now that the period for response has closed and,
- (b) if notwithstanding the expiry of the consultation response deadline a response is to be submitted, the terms of that response taking into account the position of Cabinet and the recommendations from the Audit & Scrutiny Committee.

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## 1. Executive Summary

- 1.1 The Call-In procedure forms part of the Council's Standing Orders and Scheme of Administration and provides an opportunity for decisions by the Cabinet to be 'called in' for further consideration by the Audit and Scrutiny Committee. In terms of Standing Order 26.7, the Cabinet must either agree to accept a recommendation arising from Audit and Scrutiny Committee's consideration of a call-in, or else refer the matter to the next meeting of the full Council.
- 1.2 The original decision by Cabinet in respect of a report on Council Tax Multipliers was the subject of two call-in requests. These were considered at a Special Meeting of the Audit and Scrutiny Committee on 12 September 2023. A Special Meeting of the Cabinet was then held on 19 September 2023 to consider the Audit and Scrutiny recommendation. Cabinet did not, however, accept the recommendation and, in accordance with the call-in procedure, the matter now requires to be determined by the full Council.

1.3 The closing date for the consultation response was 20 September 2023. Officers requested an extension from the Scottish Government to allow the call-in process to be completed and a response submitted. No response has been received to the Council's request for an extension.

## **2. Background**

- 2.1 At its meeting on 29 August 2023, the Cabinet considered a report by the Head of Service (Finance) on a consultation response in respect of the review of the level of Council tax multipliers for Band E to Band H properties. The Cabinet report and proposed consultation response are set out at Appendix 1.
- 2.2 Subsequently, two call-in requests were received in terms of the call-in procedure set out in the Council's Scheme of Administration and Standing Orders, that the Audit and Scrutiny Committee examine the decision taken by the Cabinet. These are presented (in the order received) at Appendices 2(A) and 2(B). Comments in relation to the call-in requests from Officers presented to the Audit and Scrutiny Committee are set out at Appendices 3(A) and 3(B).
- 2.3 The Audit and Scrutiny Committee, at a Special meeting on 12 September 2023, heard from Councillor McDonald in relation to call-in (A) and from Councillor Billings in relation to call-in (B). In addition, the Committee heard from the relevant Cabinet Member, Councillor Larsen, in response to the call-in. The relevant senior officer was also present to provide information on the report presented to Cabinet and on issues raised by the call-ins received. The Committee subsequently agreed to accept the call-ins and refer the matter back to Cabinet for further consideration, as detailed in the Minutes of the Audit and Scrutiny Committee of 12 September 2023 presented at Appendix 4.
- 2.4 The Cabinet, at a Special Meeting on 19 September 2023, duly considered the matter and (a) agreed not to accept the recommendation of the Audit and Scrutiny Committee to reconsider its earlier decision to approve the consultation response from North Ayrshire Council while adapting the request to include reference to an Islands Impact Assessment within the response; and (b) noted that, in terms of Standing Order 26.7, the matter be referred to the next meeting of the Council for determination.
- 2.5 An amended consultation response, which reflects comments received on the Islands Act only and not the other recommendations contained in the call-ins which Cabinet was being asked to consider, has been provided by the Head of Service (Finance) and is attached at Appendix 5. The Minutes of the Cabinet meeting of 19 September 2023 are also provided at Appendix 6.
- 2.6 The closing date for the consultation response was 20 September 2023 and, in light of the Council's call-in process and timescales, officers requested an extension from the Scottish Government to allow the call-in process to be completed and a response submitted. We have not had a response to the request for an extension and therefore the provisional arrangements which were put in place for a Special Meeting of the Council to be held in order to facilitate consideration of the call-in at the earliest opportunity were not required. In terms of Standing Orders, the call-in procedure does still require the matter to be submitted to Council for consideration notwithstanding that the consultation period has closed.

### **3. Proposals**

3.1 Council is requested to note:

- (i) the decisions of Cabinet and the recommendations of the Audit & Scrutiny Committee in relation to the proposed consultation response to the Scottish Government's consultation on Council Tax Multipliers,
- (ii) that the procedure for finalising any consultation response now rests with full Council in accordance with Standing Orders and
- (iii) that Council now requires to determine:
  - (a) whether to submit a response to the Scottish Government's consultation on Council Tax Multipliers now that the period for response has closed;
  - (b) in the event that Council wishes to submit a response notwithstanding the expiry of the consultation response period, consider and agree the terms of that response taking into account the position of Cabinet and the recommendations from the Audit & Scrutiny Committee.

### **4. Implications/Socio-economic Duty**

#### **Financial**

4.1 There are no financial implications arising from this report. The financial implications relating to Council Tax Multipliers are set out in the Cabinet report at Appendix 1.

#### **Human Resources**

4.2 There are no human resource implications arising from this report. The financial implications relating to Council Tax Multipliers are set out in the Cabinet report at Appendix 1.

#### **Legal**

4.3 There are no legal implications arising from this report. The financial implications relating to Council Tax Multipliers are set out in the Cabinet report at Appendix 1.

#### **Equality/Socio-economic**

4.4 There are no equality/socio-economic implications arising from this report. The financial implications relating to Council Tax Multipliers are set out in the Cabinet report at Appendix 1.

#### **Climate Change and Carbon**

4.5 There are no climate change and carbon implications arising from this report. The financial implications relating to Council Tax Multipliers are set out in the Cabinet report at Appendix 1.

## **Key Priorities**

4.6 The key priorities are outlined in the are outlined in the Council Tax Multipliers – Scottish Government consultation report attached at Appendix 1.

## **Community Wealth Building**

4.7 The community wealth building implications are outlined in the Council Tax Multipliers – Scottish Government consultation report attached at Appendix 1.

## **5. Consultation**

5.1 No formal consultation has been undertaken at this stage.

Craig Hatton  
Chief Executive

For further information please contact **Craig Stewart, Committee Services Officer**, on 01294 324130 or by email, [craigstewart@north-ayrshire.gov.uk](mailto:craigstewart@north-ayrshire.gov.uk)

## **Background Papers**

N/A

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## NORTH AYRSHIRE COUNCIL

29 August 2023

### Cabinet

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<b>Title:</b>	<b>Council Tax Multipliers: Scottish Government Consultation</b>
<b>Purpose:</b>	To consider the Consultation response in respect of the review of the level of Council tax multipliers for Band E to Band H properties
<b>Recommendation:</b>	Cabinet is asked to approve the Consultation response from North Ayrshire Council included in Appendix 1 and for this to be submitted to the Scottish Government by 20 September 2023.

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### 1. Executive Summary

- 1.1 The Scottish Government and COSLA launched a joint consultation on a proposal to increase the level of increase (multipliers) in respect of Council tax band E to band H properties. This follows an agreement by COSLA leaders at the end of June 2023.
- 1.2 Included in appendix 1 is the draft response from North Ayrshire Council. The proposed changes would impact those properties in Council tax band E to band H.
- 1.3 Based on the current number of dwellings and the current levels of North Ayrshire Council tax this proposed change would impact 21% of properties across North Ayrshire and the annual increase would range from £143 (£2.75 per week) for a band E property to £800 (£15.39 per week) for a band H property.
- 1.4 Any increase in Council tax revenue would contribute towards the cost of providing vital Council services and this is set within the context of significant inflationary related cost increases contributing to a projected budget gap for the Council of over £16million in 2024/25.

### 2. Background

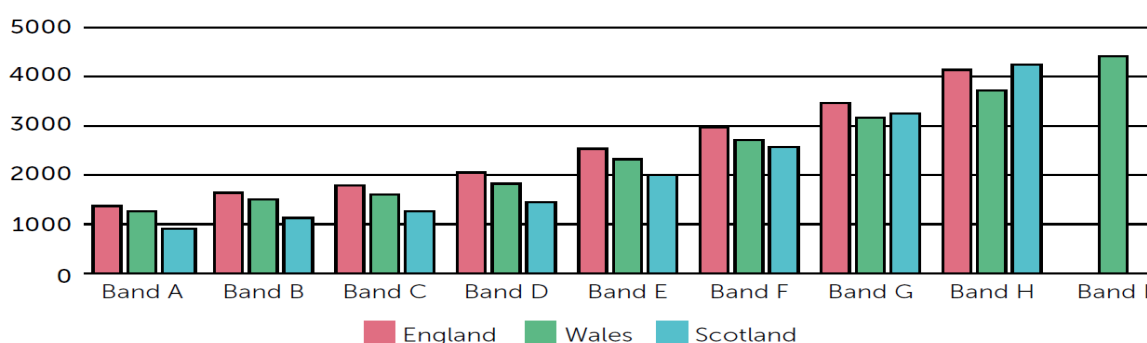
- 2.1 The Scottish Government and COSLA launched a joint consultation on a proposal to increase the level of increase (multipliers) in respect of Council tax band E to band H properties. This follows an agreement by COSLA leaders at the end of June 2023.
- 2.2 The proposal seeks views on a potential change to the current system of Council tax multipliers. Currently, Councils in Scotland set Council tax rates by determining the rate for a band D property, with charges for bands A to C and E to H then calculated as lower or higher proportions (multipliers) of the band D rate. The size of the

multipliers is determined by national legislation and applies across Scotland, with the last change occurring in 2017.

- 2.3 The current Council tax rates are based on property valuations undertaken in 1991. Lower value properties and therefore, those in the lowest income deciles, currently pay a proportionally higher level of Council tax when compared to the Council tax relating to properties of a higher value. To illustrate this point the Scottish Average Council tax charge for a band A property as a proportion of a mid-point band A property value represents a charge equating to 3.62% of the property value. When compared to the Scottish Average Council tax charge for a band H property as a proportion of a mid-point band H property value this represents a charge equating to 1.33% of the property value. In North Ayrshire Council, based on 2023/24 Council tax levels the proportion for a band A Council tax charge to property value currently sits at 4.03%, with band H 1.48%. If the proposed changes were applied to the Council tax charges then band H would increase to 1.82%.
- 2.4 The consultation proposes an increase to the multipliers affecting properties in band E to band H. When applied to current council tax rates in North Ayrshire the potential increases are set out in the undernoted table: -

Band	Current Charge £	Multiplier Increase	Potential Charge	Annual Increase £	Weekly Increase £
Band D	£1,452.12	-	£1,452.12	-	-
Band E	£1,907.92	7.5%	£2,051.03	£143.11	£2.75
Band F	£2,359.69	12.5%	£2,654.67	£294.98	£5.67
Band G	£2,843.73	17.5%	£3,341.40	£497.67	£9.57
Band H	£3,557.69	22.5%	£4,358.17	£800.48	£15.39

- 2.5 North Ayrshire has 70,217 dwellings which attract council tax. A total of 55,467 dwellings (79%) sits within council tax band A to band D, with 14,750 dwellings (21%) across band E to band H. Around 25% of households in North Ayrshire receive support from the Council Tax Reduction scheme and should the proposals be implemented, this scheme should be expanded to recognise the additional burden placed on households across the affected bands. Based on the current number of dwellings and the current levels of North Ayrshire Council tax this proposed change would impact 21% of properties across North Ayrshire and the annual increase would range from £143 (£2.75 per week) for a band E property to £800 (£15.39 per week) for a band H property.
- 2.6 Comparative council tax rates for England, Wales and Scotland for 2023/24 are included in the table below. The table reflects the proposals to increase the multipliers is implemented:-



For comparative purposes, if the consultation proposals were implemented, council tax rates for those in band A to band G would remain lower than the average charge in England, while the average charge for band D properties would remain significantly lower than in both England and Wales.

- 2.7 The consultation also considers whether any proposed changes should be introduced immediately or phased in over two or three years. This should be considered within the context of the financial challenges facing the Council, with an estimated budget gap of over £16million in 2024/25 which has been influenced by the significant impact of inflationary cost increases. Any increase in Council tax revenue would contribute towards the cost of providing vital Council services.
- 2.8 The potential additional revenue generated for North Ayrshire Council is estimated at £2.743million. It is vital that, should the proposals be implemented, any potential additional council tax revenue to local authorities is distributed to local authorities in an equitable way, recognising that some local authorities have a greater proportion of band E to band H properties than others. Any potential additional revenue should not be regarded as a substitute to the requirement for fair levels of grant funding from Scottish Government.

### **3. Proposals**

- 3.1 Cabinet is asked to approve the Consultation response from North Ayrshire Council included in appendix 1 and for this to be submitted to the Scottish Government by 20 September 2023.

### **4. Implications/Socio-economic Duty**

#### **Financial**

- 4.1 The proposals if implemented by Scottish Government could generate an additional £2.743million.

#### **Human Resources**

- 4.2 None.

#### **Legal**

- 4.3 None.

#### **Equality/Socio-economic**

- 4.4 This is a consultation response. The proposals, if implemented, would financially impact all households across band E to band H. This equates to 14,750 households across North Ayrshire.

#### **Climate Change and Carbon**

- 4.5 None.

## **Key Priorities**

4.6 The consultation response aligns with the key priorities of a sustainable council, wellbeing and communities and local democracy.

## **Community Wealth Building**

4.7 None.

## **5. Consultation**

5.1 This is a national Scottish Government consultation launched on the 12 July 2023 and it is due to close on 20 September 2023. The consultation is open to all citizens and organisations.

Mark Boyd  
Head of Service (Finance)

For further information please contact **Mark Boyd, Head of Finance**, on **01294 324560**.

## **Background Papers**

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## Appendix 1

### Council Tax Multipliers: Consultation



### Respondent Information Form

**Please Note** this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:  
<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual  
 Organisation

Full name or organisation's name

North Ayrshire Council

Phone number

01294 324560

Address

North Ayrshire Council  
Cunninghame House  
Friar's Croft, Irvine,

Postcode

KA12 8EE

Email Address

markboyd@north-ayrshire.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name  
 Publish response only (without name)  
 Do not publish response

#### Information for organisations:

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes     No

## Appendix 1

### About You Questions

#### 1. About you Question 1

[For individual respondents] Please tell us which local authority area(s) you live in

Local Authority Area(s):

[For organisational respondents] Please tell us which local authority area(s) your organisation operates in

Local Authority Area(s): **North Ayrshire**

#### 2. About you Question 2

If you pay Council Tax, please indicate which Council Tax band(s) apply to the property (or properties) for which you pay Council Tax:

Band A

Band B

Band C

Band D

Band E

Band F

Band G

Band H

I don't pay Council Tax

I don't know

## Appendix 1

### Consultation Questions

#### 1. Do you think that Council Tax in Scotland should be changed to apply increases to the tax on properties in Bands E, F, G, and H?

Yes/ No/ Don't know

Please give reasons for your answer?

This proposal provides greater parity with Council tax levels across England and Wales for Council tax bands E to G, whilst protecting Council tax bands A to D. The result of which would mean that bands E to G would generally still remain lower than comparative levels in England and Wales, with bands A to D remaining significantly lower. On balance these proposals reflect a fairer model of Council tax charging. In North Ayrshire the additional annual charges would range from £143 for band E (£2.75 per week) to £800 for band H (£15.39 per week). It is important to recognise the additional financial burden that any increase would have on families. Access to the Council Tax Reduction scheme would not be impacted by this change and would continue to offer means tested reductions of up to 100% to those households who meet the eligibility criteria.

#### More Information:

The table below presents current Council Tax charges in Scotland and shows the rate for each band as a proportion of the rates applicable to Band D properties.

	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
<b>Scotland Average Council Tax Charge 2023-24</b>	£944	£1,102	£1,259	£1,417	£1,861	£2,302	£2,774	£3,470
<b>Council Tax charges as a proportion of the charge for a property in Band D</b>	0.67	0.78	0.89	1.00	1.31	1.63	1.96	2.45

#### 2. The proposal is to increase the Council Tax on properties in Bands E, F, G and H by 7.5%, 12.5%, 17.5% and 22.5% respectively. Do you agree with the levels of increase set out in this proposal?

Yes/ No/ Don't know

The current Council tax rates are based on property valuations undertaken in 1991. It is recognised that lower value properties and therefore, those in the lowest income deciles, currently pay a proportionally higher level of Council tax

## Appendix 1

when compared to the Council tax relating to properties of a higher value. To illustrate this point the Scottish Average Council tax charge for a band A property as a proportion of a mid-point band A property value represents a charge equating to 3.62% of the property value. When compared to the Scottish Average Council tax charge for a band H property as a proportion of a mid-point band H property value this represents a charge equating to 1.33% of the property value. In North Ayrshire Council, based on 2023/24 Council tax levels the proportion for a band A Council tax charge to property value currently sits at 4.03%, with band H 1.48%. If the changes were applied to the Council tax charges then band H would increase to 1.82%.

### 3. If you have answered no to Question 2, what do you think the increases to the Council Tax on properties in Bands E, F, G and H should be?

- The increases should be smaller
- The increases should be greater
- Don't know

### 4. , When should any increases be introduced if the tax on higher band properties is increased as proposed?

- Full effect from 2024-25**
- Phased-approach over two financial years (2024-25 and 2025-26)
- Phased-approach over three financial years (2024-25, 2025-26, and 2026-27)
- Other (Please state)

The recommendation is to apply the full effect from 2024-25. In North Ayrshire the additional annual charges would range from £143 for band E (£2.75 per week) to £800 for band H (£15.39 per week). This would provide additional revenue to fund vital council services, against a backdrop of significant inflationary costs.

#### More information:

- Increasing Council Tax on properties in Bands E, F, G and H by 7.5%, 12.5%, 17.5% and 22.5% respectively would increase bills by around £139, £288, £485 and £781 per dwelling in these bands, based on 2023-24 Council Tax rates.
- Changes could take effect from 2024-25, or could be introduced as a phased-approach, with year-on-year increases over a number of financial years (e.g. for Band H a £260 increase in each of the next three financial years starting from 2024-25, such that the full £781 (22.5%) increase does not apply until 2027-28).

### 5. Should the Council Tax Reduction scheme be expanded to protect those on lower incomes from any increases to higher band properties?

Yes/ No/ Don't know

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### More information:

- In 2017, the Council Tax Reduction Scheme was expanded to provide relief to households affected by the changes if their income was in the lower half of incomes in Scotland.
  - The expanded Council Tax Reduction Scheme relief scheme protected low-income households living in Bands E to H from the increase in their bill caused by the increase in the multipliers, and is still available.
- 6. The proportion of properties in each valuation bands E - H varies across the country. This means that some councils would benefit more than others from any increases in council tax in these property bands. Should steps be taken to ensure that all councils benefit proportionately from this policy?**

Yes/ No/ Don't know

Please give reasons for your answer?

The key point to note is that any increased Council tax revenue generated from this change will go towards funding vital Council services. This is set against a very challenging financial landscape faced by Councils across the country which has been impacted significantly through rising inflationary costs. Any overall additional revenue generated should not be a substitute to the need for fair levels of funding from Scottish Government. Across individual local authorities It is recognised that some local authorities have a greater proportion of higher band properties than others, therefore, it is recommended that the Scottish Government work with Scottish Council Directors of Finance through the Settlement and Distribution Group to ensure fairness and equity of revenue distribution across all local authorities.

### More information:

- If further changes were made to charges for property Bands E to H there would be disproportionate benefits to some council areas where they have more Band E to H properties relative to other councils.
- General Revenue Grant is the main source of funding for local authorities.
- The distribution of General Revenue Grant could be adjusted to ensure the benefits are shared proportionately by all councils.
- This adjustment would mean that any changes would not disproportionately benefit, or disadvantage, any council.

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### 7. Please tell us how changes to Council Tax rates for properties in Bands E, F, G and H might impact you, or the people your organisation represents?

#### More information:

We have undertaken initial work to assess the potential impacts of these changes for individuals and communities. We would welcome your views and comments to help us better understand these impacts.

#### Answer:

Please provide your views

In North Ayrshire, based on the current 2023/24 levels of Council tax the proposed increases would impact the Council tax payer as follows:-

	Current Charge 2023/24 £	% Increase	Potential Charge	Annual Increase £	Weekly Increase £
Band D	£1,452.12	-	£1,452.12	-	-
Band E	£1,907.92	7.5%	£2,051.03	£143.11	£2.75
Band F	£2,359.69	12.5%	£2,654.67	£294.98	£5.67
Band G	£2,843.73	17.5%	£3,341.40	£497.67	£9.57
Band H	£3,557.69	22.5%	£4,358.17	£800.48	£15.39

It is recognised that such increases will have an impact on household finances across the area. The Council supports an expanded Council Tax Reduction Scheme to help protect eligible low-income households living in Bands E to H from the increase in their bill caused by the increase in the multipliers.

### 8. Please tell us how you think changes to Council Tax rates for properties in Bands E, F, G and H would affect your local area, or Scotland as a whole (please consider social, economic, environment, community, cultural, enterprise impacts that you think are relevant)?

#### More information:

We have undertaken initial work to assess the potential impacts of these changes for individuals and communities. We would welcome your views and comments to help us better understand these impacts.

## Appendix 1

Answer:

Please provide your views

<b>Council Tax Band</b>	<b>Number of Dwellings</b>	<b>%</b>	
A	21,793	31.0%	
B	18,657	26.6%	
C	7,693	11.0%	
D	7,324	10.4%	79.0%
<hr/>			
E	9,183	13.1%	
F	4,238	6.0%	
G	1,272	1.8%	
H	57	0.1%	21.0%
<hr/>			
	<b>70,217</b>	<b>100.0%</b>	<b>100.0%</b>

North Ayrshire is home to 134,220 residents (2.4% of Scotland's population) with around 70,000 dwellings for Council tax purposes. Based on the Scottish Index of Multiple Deprivation (SIMD) datazone statistics across Scotland, North Ayrshire has 186 data zones, of which 52 (30%) are in the 15% most deprived in Scotland. Within the Council Taxpayer base around 25% of Council Taxpayers are in receipt of Council Tax Reduction, with approximately 20% receiving the maximum 100% Council Tax reduction. In terms of property dwellings, 79% (55,467 dwellings) are categorised within Band A to Band D and will therefore not be affected by the proposed change to the multiplier, with 21% (14,750 dwellings) affected.

### 9. Please tell us how you think changes to Council Tax rates for properties in Bands E, F, G and H might affect Island Communities

#### More information:

- If further changes were made to charges for property Bands E to H there would be disproportionate benefits to some council areas where they have more Band E to H properties relative to other councils.
- General Revenue Grant is the main source of funding for local authorities.

## Appendix 1

- The distribution of General Revenue Grant could be adjusted to ensure the benefits are shared proportionately by all councils.
- This adjustment would mean that any changes would not disproportionately benefit, or disadvantage, any council.

### Answer:

Please provide your views

North Ayrshire has 2 Island communities. Arran and the Isle of Cumbrae within the North Coast locality. Based on recent Economic baseline analysis the working age population in the Isle of Cumbrae is 11% lower than the Scottish average (i.e. 53% versus 64% nationally) with the % share of the population over 65 years old sitting at 38% versus a national average of 19%. In terms of SIMD one of the 2 datazones relating to Cumbrae fall within the top 15% most deprived areas in Scotland. The majority of Council tax bandings fall within the Band A to Band D range and will therefore not be affected by this potential change. Cumbrae has 1,343 dwellings that attract council tax. A total of 1,221 (91%) of properties on the island fall within Band A to Band D and will therefore be unaffected, with 122 (9%) across the Band E to Band H range. The council supports an expansion of the council tax reduction scheme to provide further assistance to eligible households.

With regards to Arran, all but one of Arran's datazones rank above the median overall domain ranking and there is a much higher proportion of properties across the Band E to Band H range. Arran has a total of 3,174 dwellings which attract council tax. A total of 2,029 properties (64%) fall within the Band A to Band D range, with 1,145 properties (36%) across Bands E to H.

It is also important to consider the correlation between this Consultation response and that of the Council tax second home consultation. Both island communities have a high proportion of second homes. North Ayrshire Council supports the policy of having the powers to set any Council tax premium on second homes, however, the extent to which will require further detailed modelling of consequences and any unintended consequences. Therefore, any proposed increase in the level of Council tax multiplier would form part of further modelling and impact assessments in respect of the level of any potential Council tax premium related to second homes.

**10. Do you think there would be any equality, human rights, or wellbeing impacts as a result of the proposed increases in Council Tax rates for properties in Bands E, F, G and H ? Please tell us what you think these impacts would be.**

### Answer:

Yes



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No

Don't know

Please give reasons for your answer.

This change would impact around 14,750 households across North Ayrshire (21%). The consultation is open for citizens to express their views for the Scottish Government to consider. The council supports an expanded council tax reduction scheme to provide further support to those eligible households who require it.

## **Call In Request by Councillors McPhater, Kerr and McDonald**

### Reason for Call In

“In 2007, the SNP were elected on a manifesto to “scrap the unfair Council Tax”. 16 years later we still have Council Tax, and it is still based on historic property valuations.

Repeating the tinkering on the Council Tax formula for bands E-H, which was first implemented in 2017, does not repair local governments broken finances. The amount raised from the proposal amounts to less than 5% of our current council tax income.

Nor will tinkering with banding formulas make Council Tax fairer. It is a fundamentally regressive form of tax. The size of a property is not a good indicator of wealth or income, and the proposed changes will undoubtedly hit households who are on low incomes. For example, the changes will hit pensioners on a fixed income particularly hard, as well as young families struggling due to the cost-of-living crisis. The Council Tax Reduction is inadequate and will not address the full range of needs of those hit by these Council Tax rises.

Furthermore, without a full revaluation, these changes will exacerbate the inequity between new build properties and those recently valued with those older properties that have been improved or extended. This will make the system less fair.

We are living through the worst cost of living crisis in generations with massive rises in households’ energy bills, food costs, mortgages and rent. To hit a large number of households with large Council Tax increases at this time is deeply unfair.”

### Desired Outcome

“The consultation response be amended to reflect these points and to oppose the proposal on these grounds.

As an alternative, the Council’s position should be to argue for reform of local taxation. This should include exploration of options such as, but not limited to, a full and thereafter regular revaluation of Council Tax, a replacement property tax, a local service tax, land value tax and a local income tax. North Ayrshire Council should advocate for a system based on a mix of local taxation options which are progressive and deliver real fiscal empowerment for councils to provide the services that our communities need.”

### **Call In Request by Councillors** Councillors Billings, Todd Ferguson and Stalker

#### Reason for Call In

“We consider that there should be no changes made to the multipliers used to calculate council tax. The reasons are:

1 – it is well established that Council Tax needs to be changed because it takes no account of people’s ability to pay. This was recognised by the SNP Scottish government years ago but there has been no attempt made to bring forward a fairer system of raising local government funds. This change will further exacerbate the fundamental unfairness of the Council tax system which will create financial harm to many people even though they may live in larger homes.

2 – the current wording of the consultation response does not recognise the significant detrimental impact caused to Arran. Arran has nearly double the numbers of E to H properties compared to mainland North Ayrshire. Cost of living on Arran is already significantly higher than on the mainland and this change will further raise the cost of living on Arran which will put it at a disadvantage compared with the mainland. The Island Act legislation requires that there is a full economic and social assessment made when deciding on policy issues, and island must not be disadvantaged when compared with the mainland. This requirement is not stated with the consultation response.

3 – the comparisons between Scotland’s and England’s council tax rates are too simplistic and don’t recognise the reality of property price differentials between the majority of England and Scotland. England has a lower % of properties in the E to H bands than in Scotland, and on average property prices in England are higher than those in Scotland. In areas which have high levels of Council Tax, such as North East England over 50% of properties in band A (compared with just over 30% in North Ayrshire). Therefore, in Scotland there will be many more families on middle and lower incomes living in higher rated properties, who already pay more council tax than a property of a similar value in England. These families will be hit hard by these proposals with no possibility of obtaining any relief. The cost of living is already at crisis point and these proposals will only add to the existing hardship.”

#### Desired Outcome

“The desired outcome is that the North Ayrshire Council response on the proposed changes to Scotland’s council tax multipliers is changed to reflect the point made above.

Specifically:

Question 1 – NO

Council tax is a flawed system for raising local taxation as it takes no account of people's ability to pay. This has long been recognised by the Scottish government. These proposed changes will harm many families living in larger properties who are already struggling with the cost of living crisis but fall outwith any support criteria.

Comparisons that try to claim that on average Scotland's rates of council tax are lower than those in England but this is a very simplistic view of council tax comparison. It does not take into account the fact that England has a lower % of properties in bands E to H and where some of the highest rates of council tax are set there are very high levels of properties in band A. The result of this is that more families in Scotland are living in homes with higher bands when compared with a property of a similar value in England. Many Scottish families are already paying more than a family in England in similar valued homes.

When was something in England ever a reason for the SNP Scottish government to do something in Scotland? Scotland already has a higher level of taxation than in England (income tax and Land and Building Transaction tax are two examples). These proposals will further increase the competitive disadvantage of living in Scotland.

Question 2 – NO

There should be no change to the current multiplier rates. Council tax is not based on the ability to pay. Increasing rates of council tax for higher banded properties does nothing to address the basic flaw in the council tax system.

There will be many families living in higher band properties who are on middle to low incomes and will already be struggling with the cost of living crisis. They will be severely affected by these changes further increasing the struggle they have to make ends meet.

Question 3 – no answer as there is no option to say no change.

Question 4 – Other

There should be no change to band multipliers.

Question 5 – YES

The criteria for relief from tax should be the same for all families irrespective of the tax banding of their homes. The levels of relief must take in to account the ability to pay which may result in higher levels of relief for families liable for higher levels of taxation.

Question 6 – use current response.

Question 7 – use current response.

Question 8 – use current response.


Question 9 – use current response with the addition of the following:  
Arran has only 25% of properties in bands A and B compared with 57% in North Ayrshire overall. In addition Arran has a much higher % of properties in bands E to H compared to the mainland (36% vs 19%). Therefore, families on Arran are on average already paying a much higher rate of council tax compared with mainland North Ayrshire. Any changes to E to H bands will have a significantly greater detrimental impact on Arran.

Arran already has higher costs of living when compared with the mainland. These council tax changes will increase the cost disparity and will have a far greater negative impact on Arran residents.

The Island Act legislation required that policy changes don't disadvantage island residents compared to the mainland. These council tax proposals will have a greater impact for island residents, therefore, if a change is made to council tax multipliers there must be some form of compensation or mitigation so that island residents are not unfairly disadvantaged.

Question 10 – YES

Arran island residents, who are on average already in higher tax banded properties, will be more greatly affected by these proposals when compared with the mainland. These disproportional impacts must be considered in accordance with the Island Act legislation.”

 <p>North Ayrshire Council Comhairle Siorrachd Àir a Tuath</p>	<p><b>Call In Request Form</b></p>
<p>We request in terms of paragraph 26.2 of the Standing Orders Relating to Meetings and Proceeding of the Council that the decision taken by the Cabinet be called in by the Audit and Scrutiny Committee.</p>	
<p><b>Names of Councillors Requesting Call In</b></p>	
<p><b>1. Louise McPhater</b></p>	
<p><b>2. Amanda Kerr</b></p>	
<p><b>3. Nairn McDonald</b></p>	
<p><b>Details of the Decision Taken By The Cabinet (Please specify the Minute reference)</b></p>	
<p>9. Council Tax Multipliers</p>	
<p><b>Reasons for Call In (Please specify your reasons for requesting that the Audit and Scrutiny Committee call in the decision)</b></p>	
<p>In 2007, the SNP were elected on a manifesto to “scrap the unfair Council Tax”. 16 years later we still have Council Tax, and it is still based on historic property valuations.</p> <p>Repeating the tinkering on the Council Tax formula for bands E-H, which was first implemented in 2017, does not repair local governments broken finances. The amount raised from the proposal amounts to less than 5% of our current council tax income.</p> <p>Nor will tinkering with banding formulas make Council Tax fairer. It is a fundamentally regressive form of tax. The size of a property is not a good indicator of wealth or income, and the proposed changes will undoubtedly hit households who are on low incomes. For example, the changes will hit pensioners on a fixed income particularly hard, as well as young families struggling due to the cost-of-living crisis. The Council Tax Reduction is inadequate and will not address the full range of needs of those hit by these Council Tax rises.</p> <p>Furthermore, without a full revaluation, these changes will exacerbate the inequity between new build properties and those recently valued with those older properties that have been improved or extended. This will make the system less fair.</p> <p>We are living through the worst cost of living crisis in generations with massive rises in households’ energy bills, food costs, mortgages and rent. To hit a large number of households with large Council Tax increases at this time is deeply unfair.</p>	

**Desired Outcome**  
(Please specify your desired outcome)

The consultation response be amended to reflect these points and to oppose the proposal on these grounds.

As an alternative, the Council's position should be to argue for reform of local taxation. This should include exploration of options such as, but not limited to, a full and thereafter regular revaluation of Council Tax, a replacement property tax, a local service tax, land value tax and a local income tax. North Ayrshire Council should advocate for a system based on a mix of local taxation options which are progressive and deliver real fiscal empowerment for councils to provide the services that our communities need.

**General Comments:**

The council has prepared a response to a Scottish Government consultation. This follows an agreement by COSLA leaders at the end of June 2023. Ultimately the Scottish Government will make a determination as to whether the proposals are adopted as policy. When the 2023/24 council budget was approved in March it included a projected budget deficit of £16.773m for 2024/25. This position has been impacted by high levels of inflation. This presents a significant challenge for the council and any additional revenue generated from council tax would help fund vital council services.

The council's response to the consultation included reference to the level of council tax as a proportion of the 1991 based property band levels. The response also included comparator levels of council tax in England and Wales. For comparative purposes, if the consultation proposals were implemented, council tax rates for those in band A to band G would remain lower than the average charge in England, while the average charge for band D properties would remain significantly lower than in both England and Wales. It is recognised that the Scottish Government had a council tax freeze in operation from 2007 to 2021 which would have contributed to this position.

Another point to note around properties constructed after 1991. The Assessor has confirmed each valuation band reflects the Assessor's opinion of the open market value of the property if sold at 1 April 1991 but subject to a number of important statutory assumptions. Assessors apply the Comparative Principle of Valuation which relies on comparing the property to be valued with houses deemed similar, in respect of their physical characteristics and locality, and which actually sold on or around the valuation date of 1 April 1991. Assessors are not required to place an actual value on each property but have to demonstrate that its likely sale price would have been within the range of values in the relevant band.

Finally, as set out in the consultation response, due to the varying numbers of band E to band H properties across local authorities, should the proposals be implemented, there would be a requirement to consider a fair distribution of funding across all local authorities from any additional council tax revenue.

From the information contained in this call in document it would be difficult to ascertain exactly what content should be included against each individual question set out within the Scottish Government consultation as part of any revised response.


**This form must be received by the Chief Executive's Office not later than 12**

**noon on the fifth Clear Working Day following, and not counting, the day on which the Cabinet Minute was issued.**

	Date	Time
Received by Chief Executive		
Received by Committee Services	04/09/23	10:54
Acknowledged	04/09/23	11:02





 <p>North Ayrshire Council Comhairle Siorrachd Àir a Tuath</p>	<b>Call In Request Form</b>
<p>We request in terms of paragraph 26.2 of the Standing Orders Relating to Meetings and Proceeding of the Council that the decision taken by the Cabinet be called in by the Audit and Scrutiny Committee.</p>	
<b>Names of Councillors Requesting Call In</b>	
<p><b>1. Timothy Billings</b></p>	
<p><b>2. Todd Ferguson</b></p>	
<p><b>3. Ronnie Stalker</b></p>	
<b>Details of the Decision Taken By The Cabinet (Please specify the Minute reference)</b>	
<p>Cabinet Meeting on 29<sup>th</sup> August 2023 Item 9 – Council Tax Multipliers – Scottish Government Consultation</p>	
<b>Reasons for Call In (Please specify your reasons for requesting that the Audit and Scrutiny Committee call in the decision)</b>	
<p>We consider that there should be no changes made to the multipliers used to calculate council tax. The reasons are:</p> <p>1 – it is well established that Council Tax needs to be changed because it takes no account of people's ability to pay. This was recognised by the SNP Scottish government years ago but there has been no attempt made to bring forward a fairer system of raising local government funds. This change will further exacerbate the fundamental unfairness of the Council tax system which will create financial harm to many people even though they may live in larger homes.</p> <p>2 – the current wording of the consultation response does not recognise the significant detrimental impact caused to Arran. Arran has nearly double the numbers of E to H properties compared to mainland North Ayrshire. Cost of living on Arran is already significantly higher than on the mainland and this change will further raise the cost of living on Arran which will put it at a disadvantage compared with the mainland. The Island Act legislation requires that there is a full economic and social assessment made when deciding on policy issues, and island must not be disadvantaged when compared with the mainland. This requirement is not stated with the consultation response.</p> <p>3 – the comparisons between Scotland's and England's council tax rates are too simplistic and don't recognise the reality of property price differentials between the majority of England and Scotland. England has a lower % of properties in the E to H bands than in Scotland, and on average property prices in England are higher than those in Scotland. In areas which have high levels of Council Tax, such as North East England over 50% of properties in band A (compared with just over 30% in North Ayrshire). Therefore, in Scotland there will be many more families on middle and lower incomes living in higher rated properties, who already pay more council tax than a property of a similar value in England. These families will be hit hard by these proposals with no possibility of obtaining any relief. The cost of living is already at crisis point and these proposals</p>	

will only add to the existing hardship.

### **Desired Outcome** **(Please specify your desired outcome)**

The desired outcome is that the North Ayrshire Council response on the proposed changes to Scotland's council tax multipliers is changed to reflect the point made above.

Specifically:

Question 1 – NO

Council tax is a flawed system for raising local taxation as it takes no account of people's ability to pay. This has long been recognised by the Scottish government. These proposed changes will harm many families living in larger properties who are already struggling with the cost of living crisis but fall outwith any support criteria.

Comparisons that try to claim that on average Scotland's rates of council tax are lower than those in England but this is a very simplistic view of council tax comparison. It does not take into account the fact that England has a lower % of properties in bands E to H and where some of the highest rates of council tax are set there are very high levels of properties in band A. The result of this is that more families in Scotland are living in homes with higher bands when compared with a property of a similar value in England. Many Scottish families are already paying more than a family in England in similar valued homes.

When was something in England ever a reason for the SNP Scottish government to do something in Scotland? Scotland already has a higher level of taxation than in England (income tax and Land and Building Transaction tax are two examples). These proposals will further increase the competitive disadvantage of living in Scotland.

Question 2 – NO

There should be no change to the current multiplier rates. Council tax is not based on the ability to pay. Increasing rates of council tax for higher banded properties does nothing to address the basic flaw in the council tax system.

There will be many families living in higher band properties who are on middle to low incomes and will already be struggling with the cost of living crisis. They will be severely affected by these changes further increasing the struggle they have to make ends meet.

Question 3 – no answer as there is no option to say no change.

Question 4 – Other

There should be no change to band multipliers.

Question 5 – YES

The criteria for relief from tax should be the same for all families irrespective of the tax banding of their homes. The levels of relief must take in to account the ability to pay which may result in higher levels of relief for families liable for higher levels of taxation.

Question 6 – use current response.

Question 7 – use current response.

Question 8 – use current response.

Question 9 – use current response with the addition of the following:

Arran has only 25% of properties in bands A and B compared with 57% in North Ayrshire overall. In addition Arran has is a much higher % of properties in bands E to H compared to the mainland (36% vs 19%). Therefore, families on Arran are on average already paying a much higher rate of

council tax compared with mainland North Ayrshire. Any changes to E to H bands will have a significantly greater detrimental impact on Arran.

Arran already has higher costs of living when compared with the mainland. These council tax changes will increase the cost disparity and will have a far greater negative impact on Arran residents.

The Island Act legislation required that policy changes don't disadvantage island residents compared to the mainland. These council tax proposals will have a greater impact for island residents, therefore, if a change is made to council tax multipliers there must be some form of compensation or mitigation so that island residents are not unfairly disadvantaged.

Question 10 – YES

Arran island residents, who are on average already in higher tax banded properties, will be more greatly affected by these proposals when compared with the mainland. These disproportional impacts must be considered in accordance with the Island Act legislation.

### **General Comments:**

The council has prepared a response to a Scottish Government consultation. This follows an agreement by COSLA leaders at the end of June 2023. Ultimately the Scottish Government will make a determination as to whether the proposals are adopted as policy. When the 2023/24 council budget was approved in March it included a projected budget deficit of £16.773m for 2024/25. This position has been impacted by high levels of inflation. This presents a significant challenge for the council and any additional revenue generated from council tax would help fund vital council services.

The council's response to the consultation included reference to the level of council tax as a proportion of the 1991 based property band levels. The response also included comparator levels of council tax in England and Wales. For comparative purposes, if the consultation proposals were implemented, council tax rates for those in band A to band G would remain lower than the average charge in England, while the average charge for band D properties would remain significantly lower than in both England and Wales. It is recognised that the Scottish Government had a council tax freeze in operation from 2007 to 2021 which would have contributed to this position.

With regards to the requirements for a Islands Community Impact assessment, as this is a national Scottish Government consultation open to all citizens then it is anticipated that the views of island communities will be made known as part of their own feedback to the consultation. I appreciate that this could be made clearer within the council's response. Further clarity would be required as to where the responsibility to undertake the Islands Community Impact assessment sits. This matter will be taken up with the Scottish Government.

Another point to note around properties constructed after 1991. The Assessor has confirmed each valuation band reflects the Assessor's opinion of the open market value of the property if sold at 1 April 1991 but subject to a number of important statutory assumptions. Assessors apply the Comparative Principle of Valuation which relies on comparing the property to be valued with houses deemed similar, in respect of their physical characteristics and locality, and which actually sold on or around the valuation date of 1 April 1991. Assessors are not required to place an actual value on each property but have to demonstrate that its likely sale price would have been within the range of values in the relevant band.

Finally, as set out in the consultation response, due to the varying numbers of band E to band H properties across local authorities, should the proposals be implemented, there would be a requirement to consider a fair distribution of funding across all local authorities from any additional council tax revenue.

**This form must be received by the Chief Executive's Office not later than 12 noon on the fourth Clear Working Day following, and not counting, the day on which the Cabinet Minute was issued.**

	Date	Time
Received by Chief Executive		
Received by Committee Services		
Acknowledged		



Audit and Scrutiny Committee  
12 September 2023

At a Special Meeting of the Audit and Scrutiny Committee of North Ayrshire Council at 11.00 a.m. involving participation by remote electronic means.

**Present**

John Bell, Eleanor Collier, Cameron Inglis, Tom Marshall, Davina McTiernan and John Sweeney.

**Also Present**

Timothy Billings, Tony Gurney, Amanda Kerr, Christina Larsen, Nairn McDonald, Louise McPhater and Ronnie Stalker.

**In Attendance**

M. Boyd, Head of Service (Finance); L. Kirk, Interim Head of Service (Economic Development and Regeneration) and N. McIlvanney, Interim Head of Service (Growth, Investment and Employability) (Place); A. Craig, Head of Service (Democratic), C. Stewart, H. Clancy and S. Wilson, Committee Services Officers (Chief Executive's Service).

**Chair**

Councillor Bell in the Chair.

**Apologies**

Donald Reid and Matthew McLean.

**1. Declarations of Interest**

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

**2. Call In: B714 Upgrade**

Submitted report by the Chief Executive on a call-in request in respect of a decision taken by Cabinet on 29 August 2023 to (a) agree to the submission of the updated Outline Business Case to the UK Government for approval, informed by feedback on the draft submission; and (b) approve the reallocation of Council funding, detailed at Appendix 1 to the report, to support the delivery of the project, subject to the approval of the Final Business Case. The original Cabinet report was attached at Appendix 1 to the report. Appendix 2 to the report contained a briefing note provided by the Interim Head of Service (Economic Development and Regeneration) in response to the matters raised in the call-in request.

The Cabinet on 29 August 2023 agreed (a) to the submission of the updated Outline Business Case to the UK Government for approval, informed by feedback on the draft submission; and (b) to approve the reallocation of Council funding, detailed at Appendix 1, to support the delivery of the project, subject to the approval of the Final Business Case.

Subsequently, a call-in request was received from Councillors McPhater, Kerr and McDonald in the following terms:

#### Reason for Call-In

“Funding should not be cut from important investment in Community Wealth Building, town centre regeneration and economic development to deliver what is a reduced upgrade of the B714. Alternative funding sources should be identified.

Additionally, the B714 project is of major importance to North Ayrshire and our region’s future economic prospects. However, the Cabinet’s proposal removes the active travel elements from the initial project delivery, with no timeframe for future phases nor any guarantees that funding will be available for them. A Council that has declared a climate emergency, that has set an ambitious net zero target and has an administration that supposedly prioritises tackling climate change, shouldn’t be repeating the mistakes of the past and undertaking major road projects without investing in active travel infrastructure as part of that project.”

#### Desired Outcome

“The Council should utilise the money available from the PPP service concession as an alternative funding source.

A further report to be brought back to Cabinet outlining a concrete timetable and funding proposal for the delivery of the active travel elements in the project.”

The Head of Democratic Services summarised the procedure for considering the call-in request in terms of Standing Orders and referred to the Cabinet decision.

Thereafter, the Members who had requested the call-in were invited to speak and Councillor McDonald addressed the Committee in support of the call-in request.

The Chair then invited Councillor Gurney, as the Cabinet Member for Green Environment and Economy, to address the meeting. Councillor Gurney explained the reasoning for the Cabinet decision and referred to a briefing note from the Interim Head of Service (Economic Development and Regeneration) provided at Appendix 2 to the report.

The Interim Head of Service (Economic Development and Regeneration) and the Head of Service (Finance) were also heard in relation to the report presented to Cabinet and on issues raised by the call-in, reference being made to the briefing note at Appendix 2 to the report.

Members asked questions of the Interim Head of Service (Economic Development and Regeneration) and were provided with further information in relation to:-

- The timescale of the tender process and assessment of submissions;
- the impact that any budget reduction might have on the intended project specification including project delivery; and
- the deadline for submission of the Business Case to the UK Government.



Councillor Sweeney, seconded by Councillor Bell, moved that the Committee agree to accept the terms of the call-in request and refer the matter to the Cabinet for further consideration.

As an amendment Councillor Collier, seconded by Councillor McTiernan, moved that the Committee agree not to support the call-in request and that the previous decision of Cabinet should stand.

Thereafter, on a division and a roll call vote, there voted for the amendment, Councillors Collier, Inglis, Marshall and McTiernan (4) and for the motion, Councillors Bell and Sweeney (2). The amendment was declared carried.

Accordingly, the Committee agreed (a) not to support the call-in request; and (b) that the previous decision of Cabinet should stand.

## **2. Call In: Council Tax Multipliers – Scottish Government Consultation**

Submitted report by the Chief Executive on two call-in request in respect of a decision taken by Cabinet on 29 August 2023 in which, having noted the importance of recognising that this was a consultation response, and that decisions on Council Tax setting were made at full Council as part of the annual budget setting process and that no changes were being made to the Council Tax levels currently set, the Cabinet agreed to approve the Consultation response from North Ayrshire Council included in Appendix 1 to the report, for submission to the Scottish Government by 20 September 2023. The two call-in requests were presented (in the order received) at Appendices 1A and 1B to the report. The original Cabinet report and consultation response were attached at Appendix 2 to the report. Appendix 3 to the report contained briefing notes provided by the Head of Service (Finance) in response to the matters raised in the call-in request form.

The Cabinet on 29 August 2023 agreed to approve the proposed consultation response at Appendix 1 to the report, for submission to the Scottish Government by the consultation response deadline.

Subsequently, two call-in requests were received in the following terms from (A) Councillors McPhater, Kerr and McDonald; and (B) Councillors Billings, T. Ferguson and Stalker.

### **(A) Reason for Call-In (Councillors McPhater, Kerr and McDonald)**

“In 2007, the SNP were elected on a manifesto to “scrap the unfair Council Tax”. 16 years later we still have Council Tax, and it is still based on historic property valuations.

Repeating the tinkering on the Council Tax formula for bands E-H, which was first implemented in 2017, does not repair local governments broken finances. The amount raised from the proposal amounts to less than 5% of our current council tax income.

Nor will tinkering with banding formulas make Council Tax fairer. It is a fundamentally regressive form of tax. The size of a property is not a good indicator of wealth or income, and the proposed changes will undoubtedly hit households who are on low incomes. For example, the changes will hit pensioners on a fixed income particularly hard, as well as young families struggling due to the cost-of-living crisis.

The Council Tax Reduction is inadequate and will not address the full range of needs of those hit by these Council Tax rises.

Furthermore, without a full revaluation, these changes will exacerbate the inequity between new build properties and those recently valued with those older properties that have been improved or extended. This will make the system less fair.

We are living through the worst cost of living crisis in generations with massive rises in households' energy bills, food costs, mortgages and rent. To hit a large number of households with large Council Tax increases at this time is deeply unfair."

### Desired Outcome

"The consultation response be amended to reflect these points and to oppose the proposal on these grounds.

As an alternative, the Council's position should be to argue for reform of local taxation. This should include exploration of options such as, but not limited to, a full and thereafter regular revaluation of Council Tax, a replacement property tax, a local service tax, land value tax and a local income tax. North Ayrshire Council should advocate for a system based on a mix of local taxation options which are progressive and deliver real fiscal empowerment for councils to provide the services that our communities need."

### (B) Reason for Call-In (Councillors Billings, Todd Ferguson and Stalker)

"We consider that there should be no changes made to the multipliers used to calculate council tax. The reasons are:

1 – it is well established that Council Tax needs to be changed because it takes no account of people's ability to pay. This was recognised by the SNP Scottish government years ago but there has been no attempt made to bring forward a fairer system of raising local government funds. This change will further exacerbate the fundamental unfairness of the Council tax system which will create financial harm to many people even though they may live in larger homes.

2 – the current wording of the consultation response does not recognise the significant detrimental impact caused to Arran. Arran has nearly double the numbers of E to H properties compared to mainland North Ayrshire. Cost of living on Arran is already significantly higher than on the mainland and this change will further raise the cost of living on Arran which will put it at a disadvantage compared with the mainland. The Island Act legislation requires that there is a full economic and social assessment made when deciding on policy issues, and island must not be disadvantaged when compared with the mainland. This requirement is not stated with the consultation response.

3 – the comparisons between Scotland’s and England’s council tax rates are too simplistic and don’t recognise the reality of property price differentials between the majority of England and Scotland. England has a lower % of properties in the E to H bands than in Scotland, and on average property prices in England are higher than those in Scotland. In areas which have high levels of Council Tax, such as North East England over 50% of properties in band A (compared with just over 30% in North Ayrshire). Therefore, in Scotland there will be many more families on middle and lower incomes living in higher rated properties, who already pay more council tax than a property of a similar value in England. These families will be hit hard by these proposals with no possibility of obtaining any relief. The cost of living is already at crisis point and these proposals will only add to the existing hardship.”

### Desired Outcome

“The desired outcome is that the North Ayrshire Council response on the proposed changes to Scotland’s council tax multipliers is changed to reflect the point made above.

Specifically:

#### Question 1 – NO

Council tax is a flawed system for raising local taxation as it takes no account of people’s ability to pay. This has long been recognised by the Scottish government. These proposed changes will harm many families living in larger properties who are already struggling with the cost of living crisis but fall outwith any support criteria.

Comparisons that try to claim that on average Scotland’s rates of council tax are lower than those in England but this is a very simplistic view of council tax comparison. It does not take into account the fact that England has a lower % of properties in bands E to H and where some of the highest rates of council tax are set there are very high levels of properties in band A. The result of this is that more families in Scotland are living in homes with higher bands when compared with a property of a similar value in England. Many Scottish families are already paying more than a family in England in similar valued homes.

When was something in England ever a reason for the SNP Scottish government to do something in Scotland? Scotland already has a higher level of taxation than in England (income tax and Land and Building Transaction tax are two examples). These proposals will further increase the competitive disadvantage of living in Scotland.

#### Question 2 – NO

There should be no change to the current multiplier rates. Council tax is not based on the ability to pay. Increasing rates of council tax for higher banded properties does nothing to address the basic flaw in the council tax system.

There will be many families living in higher band properties who are on middle to low incomes and will already be struggling with the cost of living crisis. They will be severely affected by these changes further increasing the struggle they have to make ends meet.

Question 3 – no answer as there is no option to say no change.

#### Question 4 – Other

There should be no change to band multipliers.

#### Question 5 – YES

The criteria for relief from tax should be the same for all families irrespective of the tax banding of their homes. The levels of relief must take in to account the ability to pay which may result in higher levels of relief for families liable for higher levels of taxation.

Question 6 – use current response.

Question 7 – use current response.

Question 8 – use current response.

Question 9 – use current response with the addition of the following:

Arran has only 25% of properties in bands A and B compared with 57% in North Ayrshire overall. In addition Arran has is a much higher % of properties in bands E to H compared to the mainland (36% vs 19%). Therefore, families on Arran are on average already paying a much higher rate of council tax compared with mainland North Ayrshire. Any changes to E to H bands will have a significantly greater detrimental impact on Arran.

Arran already has higher costs of living when compared with the mainland. These council tax changes will increase the cost disparity and will have a far greater negative impact on Arran residents.

The Island Act legislation required that policy changes don't disadvantage island residents compared to the mainland. These council tax proposals will have a greater impact for island residents, therefore, if a change is made to council tax multipliers there must be some form of compensation or mitigation so that island residents are not unfairly disadvantaged.

#### Question 10 – YES

Arran island residents, who are on average already in higher tax banded properties, will be more greatly affected by these proposals when compared with the mainland. These disproportional impacts must be considered in accordance with the Island Act legislation.”

The Chair outlined the procedure for the Committee when dealing with multiple call-in requests, namely where more than one request had been received relating to one decision of Cabinet.

Thereafter, the Members who had requested call-in (A) were invited to speak and Councillor McDonald addressed the Committee in support of the call-in request.

Thereafter, the Members who had requested call-in (B) were invited to speak and Councillor Billings addressed the Committee in support of the call-in request.

The Chair then invited Councillor Larsen, as the Cabinet Member for Finance, to address the meeting. Councillor Larsen advised that she would respond to the two call-in requests; explained the reasoning for the Cabinet decision; and referred to an explanatory note from the Head of Service (Finance) provided at Appendix 3 to the report.

The Head of Service (Finance) was also heard in relation to the report presented to Cabinet and on issues raised by the call-in, reference being made to the explanatory note at Appendix 3 to the report.

Members asked questions and were provided with further information in relation to:-

- the broader issues involved, specifically on Council Tax reform;
- the expansion of the Council Tax reduction scheme, which already included single person discount, to support as many households as possible affected by the proposal;
- including a reference to the Islands Act in the Scottish Government consultation response, to take account of a full economic and social impact assessment of the proposal;
- the financial challenges and pressures on Council budgets, including funding gaps and the ability to raise revenue;
- the issue of newly constructed properties, and clarification that had subsequently been obtained from the Assessor, relating to the notional market value of new properties as at 1 April 1991; and
- distribution of any additional revenue generated across the country and the role of the Directors of Finance Group in seeking to ensure an appropriate funding allocation across Councils.

Councillor Inglis, seconded by Councillor Sweeney, moved that the Committee agree to accept the terms of the call-ins (the Head of Democratic Services having sought clarification on whether the full terms of call-in (B) were part of the motion and received confirmation that they were) and refer the matter to the Cabinet for further consideration with the recommendation that Cabinet considers (i) in relation to call-in (A) the terms of the call-in and that the response to the consultation questions 1 and 2 should be “No”, and (ii) in relation to call-in B the terms of the call-in and the proposed response tabled which includes reference to the Islands (Scotland) Act 2018.

As an amendment Councillor Collier, seconded by Councillor McTiernan, moved that the Committee agree not to support the call-ins and that the previous decision of Cabinet should stand, notwithstanding that a reference to the Islands (Scotland) Act 2018 should be included in the consultation response.

Thereafter, on a division and a roll call vote, there voted for the amendment, Councillors Collier and McTiernan (2) and for the motion, Councillors Bell, Inglis, Marshall and Sweeney (4), and the motion was declared carried.

Accordingly, the Committee agreed that the terms of the call-ins be referred to the Cabinet for further consideration, with a recommendation that Cabinet considers (i) in relation to call-in (A) the terms of the call-in and that the response to the consultation questions 1 and 2 should be “No”, and (ii) in relation to call-in B the terms of the call-in and the proposed response tabled which includes reference to the Islands (Scotland) Act 2018.

### **3. Call-In: Visitor Levy Consultation**

Submitted report by the Chief Executive on a call-in request in respect of a decision taken by Cabinet on 29 August 2023 in which, having welcomed the principle of having fiscal flexibility at a local level, irrespective of whether it was ultimately exercised, the Cabinet agreed (a) to authorise officers to respond to consultations on the Visitor Levy (Scotland) Bill as detailed in Appendix 1 to the report by expressing support for the introduction of a levy, subject to further exploration of costs and benefits; and (b) to note the formation of an internal Visitor Levy Officer Working Group which would engage with the Tourism Forum, businesses and regional stakeholders to inform any future emerging proposals related to the implementation of a visitor levy. The original Cabinet report and consultation response were attached at Appendix 1 to the report. Appendix 2 to the report contained a briefing note provided by the Interim Head of Service (Growth, Investment and Employability) in response to the matters raised in the call-in request.

The Cabinet on 29 August 2023 agreed to approve the proposed consultation response at Appendix 1 to the report, for submission to the Scottish Government by the consultation deadline of 15 September 2023.

Subsequently, a call-in request was received from Councillors Billings, T. Ferguson and Stalker in the following terms:

#### “Reason for Call-In

The decision of the Cabinet was to respond to the consultation ‘in support of the introduction of a levy’. We do not agree that North Ayrshire Council should be in support of the introduction of a levy at this time. There is insufficient detail in the draft legislation to ensure that any levy would be reasonable, proportionate and not have an overall harm on the visitor industry of North Ayrshire and Arran.

We consider that the responses in the consultation document are incomplete, unworkable and do not reference a number of very important issues that have been raised in discussion with constituents. These are:

The need for a Visitor Levy: The case for a Visitor Levy has not yet been made as there are concerns that a levy will be burdensome, expensive to operate, and removed local control of visitor funds. The cost of operating a business is already high in Scotland with high levels of taxation and VAT at 20% on all visitor services which is significantly more than many countries where visitor levies are applied. In addition, the cost of carrying on business on North Ayrshire’s islands is already higher than the mainland.

**Existing Visitor Gifting Schemes:** There are several voluntary visitor gifting schemes operating on Arran, which cost nothing to run and raise considerable amounts of money that is then used for the benefit of visitors to Arran. The imposition of a centralised compulsory visitor levy will harm the functioning of these schemes and reduce the funds available for use on Arran.

**Where the funds are spent:** A centrally controlled visitor levy will remove local decision-making about how donations from visitors will be spent. If there is going to be a visitor levy then the local authority must undertake full engagement with its visitor businesses and communities and agree how the funds raised should be spent and in what proportion across the local authority area.

**Definition of Chargeable Transaction:** The consultation response states that using the total overnight charge would be preferable to what the Bill suggests, which is just the accommodation element of the stay. Using the total overnight charge would be unworkable, unfair and anticompetitive. This is because:

- Accommodation providers regularly offer a bundled offer that could include a combination of accommodation, breakfast, dinner, parking, leisure facilities, spa treatments, and ferry travel. These are often used to promote the business and attract visitors out of season. It would be totally unreasonable for a guest staying at a multiservice accommodation providers (such as a hotel or bed & breakfast) to pay the visitor levy on the total cost of their stay.
- Having a levy on the total cost of stay would be unworkable as it would be impossible to know what was and was not included. For example, if the levy were to be on the total cost of the stay, would that be for guests who purchase the bundle up front or for all guests even if they only book a room up front but then go on to purchase breakfast, dinner and spa treatments? What about hotel guests who only book a room and then pay as they go for additional services?
- If hotel guests have to pay the levy on more than just the room then hotels would have two prices, one for guests charging services to the room and the second for people not staying at the hotel but using its services.
- Hotels would lose custom because guests could go to local restaurants and not have to pay the levy, giving a competitive advantage to service providers who don't offer accommodation, such as restaurants, hairdressers, spa and leisure facilities.
- Local engagement and publicity – it is essential that local authorities engage with providers, stakeholders and communities about the local operation of any visitor levy scheme they plan to introduce. The local authority must develop a publicly available plan on how the money raised will be spent and the distribution of spend across the local authority. Each year local authorities must report on the performance of the levy with details about the money raised, cost of administration, what and where the funds were spent and the benefits provided to visitors.

**Others** – other various concerns are:

How will the levy be applied to visitors' bills?

When will visitors be told that a levy is payable?

Will the levy be subject to VAT?

What impact will there be on commission-based accommodation sales (such as to Booking.com)?

## Desired Outcome

The desired outcome is to change the consultation paper as follows:

Section 1 – North Ayrshire Council considers that a visitor levy should not be imposed on Scotland's visitors. Scotland is already an expensive place to do business with high levels of taxation. The Visitor Levy is an additional tax on doing business that will be burdensome, expensive to operate and damage Scotland's tourist industry.

However, if a visitor levy system were to be approved then each local authority must have full discretion regarding implementation and control over the design, set-up, implementation and spend of any scheme within their area.

Section 2 – in addition to the current wording the following to be added:

Several visitor gifting schemes operate within North Ayrshire, in particular on Arran. They are operated at no cost by community led charities. They raise and distribute large sums of money for the direct benefit of visitors to Arran. The imposition of a visitor levy will harm the operation of these schemes which operate on good will and voluntary contributions.

Accommodation providers will be impacted by this legislation, in particular smaller providers with less resources to cope with the administration requirements. Tourism is already being harmed by the imposition of short-term licensing and the imposition of a visitor levy will create a further deterrent on small businesses.

Section 3 – remove the current wording and replace with:

Using the definition of 'overnight accommodation' is a simple and easily understandable definition.

There is some concern that some providers may attempt to inflate the costs of any additional items (such as breakfast and parking) to reduce the visitor levy. However, businesses already have to separate accommodation, food and other services for other taxation purposes. Also, to have the levy on the full cost of the overnight stay would add significant complexity and create disparity between visitors. There is such complexity to what a stay at a hotel includes and when additional services are paid for that charging the levy on more than just the overnight accommodation would be totally unworkable, burdensome and anticompetitive (as hotels would have higher prices for its resident guests compared with non-residents, and compared with nearby restaurants, leisure facilities etc).

The definition of 'overnight accommodation' must define if that is the rate inclusive or exclusive of VAT. Some smaller providers operate below the VAT threshold and don't charge VAT. A % levy charged after VAT would further disadvantage larger providers and would be a tax on a tax.



There must be a consistent approach about when and how visitors are informed about the compulsory visitor levy. In the UK there is a requirement for pricing to be transparent and include all the costs associated with the purchase. However, if accommodation providers can advertise accommodation without the visitor levy, at what point must providers inform their guests of this compulsory additional charge? If accommodation providers are required to show a price that includes the visitor levy then providers who use 3<sup>rd</sup> party sales outlets (such as Booking.com) which the vast majority of providers do, will be charged commission on the total price of the stay including the levy. Commission could be as high as 20% which would result in a loss to providers who will still need to pay the full levy.

It is essential that the levy is only payable on a 'chargeable transaction'. If visitors were to stay overnight for free then no levy should be payable. Examples of when this are when visitors are stranded on islands due to ferry cancellations and stranded visitors are accommodated in halls and temporary accommodation that makes no charge.

Section 4 – replace the current wording with:

If the levy is a % then it must be on the accommodation only element of the stay. However, an alternative would be a set £ fee per night. This would be simpler to calculate and would be more transparent. However, depending on the level at which the levy is set it may need to be tiered depending on the cost of accommodation.

Section 5 – add to the current wording:

Local authorities should have the flexibility to limit the levy for a single stay. This could be by a cap on the number of chargeable nights or setting a maximum charge for a single stay. This would lessen the burden on long-stay visitors who are often working in the area.

Local authorities should have the flexibility to change the rates depending on the demand for accommodation at different times of year. This would lessen the impact for visitors in low seasons.

Section 6 – retain current wording

Section 7 – add the following:

It is essential that local authorities undertake a full assessment as to the implications on the introduction of a visitor levy and that the findings on this assessment should be made public.

Then, prior to making any decision about introducing a visitor levy the local authority must undertake a comprehensive consultation with businesses, stakeholders and the public regarding the local implementation of the levy system, that includes details of how and where funds raised are to be used.

The operation of the visitor levy must be made public and contain details of how the funds raised will be spent and the distribution of funds across the local authority area.

Each year the Local Authority should be required to report on the total money raised, the proportion used for administration, what the funds were spent on and to what benefit to visitors. This will ensure that the scheme remains viable, and that visitors and residents retain confidence in the levy scheme.

Section 8 – retain current wording

Section 9 – retain current wording

Section 10 – replace current wording with:

- The requirement for providers to keep detailed records of the chargeable part of their overnight rates will be an additional burden for many, especially small providers. However, using the total overnight charge (including additional non-accommodation items such as food or use of leisure facilities) is not a viable option as it would be complex and create a significant competitive disadvantage for accommodation providers.
- Using a flat rate per night of stay is likely to be less complex and easier to manage. Any flat rate may need to be tiered so as not to disadvantage lower cost accommodation providers, such as campsites.
- Where an accommodation provider operates businesses in more than one local authority, they may have to manage reporting at different levy rates to different local authorities. If they have a central booking system this may become even more complex.

Accounting software used by many small businesses may not provide the flexibility to manage the levy and exemptions which could add to administrative burden and complexity for the providers.”

Thereafter, the Members who had requested the call-in were invited to speak and Councillor Billings addressed the Committee in support of the call-in request.

The Chair then invited Councillor Gurney, as the Cabinet Member for Green Environment and Economy, to address the meeting. Councillor Gurney explained the reasoning for the Cabinet decision and referred to a briefing note from the Interim Head of Service (Economic Development and Regeneration) provided at Appendix 2 to the report.

The Interim Head of Service (Growth, Investment and Employability) was also heard in relation to the report presented to Cabinet and on issues raised by the call-in, reference being made to the explanatory note at Appendix 2 to the report.

Members asked questions of the Interim Head of Service (Growth, Investment and Employability) and were provided with further information in relation to:-

- the tight consultation timescales involved and whether consideration on the consultation response could have taken place earlier, in order to allow more time consideration on the response; and
- the potential impacts on the local tourist industry and economy, together with the financial aspects involved (including penalties) concerning the application process.

Councillor Inglis, seconded by Councillor Marshall, moved that the Committee agree to accept the terms of the call-in request and refer the matter to the Cabinet for further consideration.

As an amendment Councillor Collier, seconded by Councillor McTiernan, moved that the Committee agree not to support the call-in request and that the previous decision of Cabinet should stand, with the consultation response being submitted to the Scottish Government by the 15 September 2023 deadline.

Thereafter, on a division and a roll call vote, there voted for the amendment, Councillors Bell, Collier and McTiernan (3) and for the motion, Councillors Inglis, Marshall and Sweeney (3). There being an equality of votes, the Chair exercised his casting vote in terms of Standing Order 19.6, and the amendment was declared carried.

Accordingly, the Committee agreed not to support the call-in request and that the previous decision of Cabinet should stand, with the consultation response being submitted to the Scottish Government by the 15 September 2023 deadline.

The meeting ended at 12.15 p.m.

## Appendix 1

## Council Tax Multipliers: Consultation



## Respondent Information Form

**Please Note** this form **must** be completed and returned with your response.

To find out how we handle your personal data, please see our privacy policy:  
<https://www.gov.scot/privacy/>

Are you responding as an individual or an organisation?

- Individual  
 Organisation

Full name or organisation's name

North Ayrshire Council

Phone number

01294 324560

Address

North Ayrshire Council  
 Cunninghame House  
 Friar's Croft, Irvine,

Postcode

KA12 8EE

Email Address

markboyd@north-ayrshire.gov.uk

The Scottish Government would like your permission to publish your consultation response. Please indicate your publishing preference:

- Publish response with name  
 Publish response only (without name)  
 Do not publish response

**Information for organisations:**

The option 'Publish response only (without name)' is available for individual respondents only. If this option is selected, the organisation name will still be published.

If you choose the option 'Do not publish response', your organisation name may still be listed as having responded to the consultation in, for example, the analysis report.

We will share your response internally with other Scottish Government policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for Scottish Government to contact you again in relation to this consultation exercise?

- Yes  No

## Appendix 1

### About You Questions

#### 1. About you Question 1

[For individual respondents] Please tell us which local authority area(s) you live in

Local Authority Area(s):

[For organisational respondents] Please tell us which local authority area(s) your organisation operates in

Local Authority Area(s): **North Ayrshire**

#### 2. About you Question 2

If you pay Council Tax, please indicate which Council Tax band(s) apply to the property (or properties) for which you pay Council Tax:

Band A

Band B

Band C

Band D

Band E

Band F

Band G

Band H

I don't pay Council Tax

I don't know

## Appendix 1

### Consultation Questions

#### 1. Do you think that Council Tax in Scotland should be changed to apply increases to the tax on properties in Bands E, F, G, and H?

Yes/ No/ Don't know

Please give reasons for your answer?

This proposal provides greater parity with Council tax levels across England and Wales for Council tax bands E to G, whilst protecting Council tax bands A to D. The result of which would mean that bands E to G would generally still remain lower than comparative levels in England and Wales, with bands A to D remaining significantly lower. On balance these proposals reflect a fairer model of Council tax charging. In North Ayrshire the additional annual charges would range from £143 for band E (£2.75 per week) to £800 for band H (£15.39 per week). It is important to recognise the additional financial burden that any increase would have on families. Access to the Council Tax Reduction scheme would not be impacted by this change and would continue to offer means tested reductions of up to 100% to those households who meet the eligibility criteria.

#### More Information:

The table below presents current Council Tax charges in Scotland and shows the rate for each band as a proportion of the rates applicable to Band D properties.

	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H
<b>Scotland Average Council Tax Charge 2023-24</b>	£944	£1,102	£1,259	£1,417	£1,861	£2,302	£2,774	£3,470
<b>Council Tax charges as a proportion of the charge for a property in Band D</b>	0.67	0.78	0.89	1.00	1.31	1.63	1.96	2.45

#### 2. The proposal is to increase the Council Tax on properties in Bands E, F, G and H by 7.5%, 12.5%, 17.5% and 22.5% respectively. Do you agree with the levels of increase set out in this proposal?

Yes/ No/ Don't know

The current Council tax rates are based on property valuations undertaken in 1991. It is recognised that lower value properties and therefore, those in the lowest income deciles, currently pay a proportionally higher level of Council tax

## Appendix 1

when compared to the Council tax relating to properties of a higher value. To illustrate this point the Scottish Average Council tax charge for a band A property as a proportion of a mid-point band A property value represents a charge equating to 3.62% of the property value. When compared to the Scottish Average Council tax charge for a band H property as a proportion of a mid-point band H property value this represents a charge equating to 1.33% of the property value. In North Ayrshire Council, based on 2023/24 Council tax levels the proportion for a band A Council tax charge to property value currently sits at 4.03%, with band H 1.48%. If the changes were applied to the Council tax charges then band H would increase to 1.82%.

### 3. If you have answered no to Question 2, what do you think the increases to the Council Tax on properties in Bands E, F, G and H should be?

- The increases should be smaller
- The increases should be greater
- Don't know

### 4. , When should any increases be introduced if the tax on higher band properties is increased as proposed?

- Full effect from 2024-25**
- Phased-approach over two financial years (2024-25 and 2025-26)
- Phased-approach over three financial years (2024-25, 2025-26, and 2026-27)
- Other (Please state)

The recommendation is to apply the full effect from 2024-25. In North Ayrshire the additional annual charges would range from £143 for band E (£2.75 per week) to £800 for band H (£15.39 per week). This would provide additional revenue to fund vital council services, against a backdrop of significant inflationary costs.

#### More information:

- Increasing Council Tax on properties in Bands E, F, G and H by 7.5%, 12.5%, 17.5% and 22.5% respectively would increase bills by around £139, £288, £485 and £781 per dwelling in these bands, based on 2023-24 Council Tax rates.
- Changes could take effect from 2024-25, or could be introduced as a phased-approach, with year-on-year increases over a number of financial years (e.g. for Band H a £260 increase in each of the next three financial years starting from 2024-25, such that the full £781 (22.5%) increase does not apply until 2027-28).

### 5. Should the Council Tax Reduction scheme be expanded to protect those on lower incomes from any increases to higher band properties?

Yes/ No/ Don't know

## Appendix 1

### More information:

- In 2017, the Council Tax Reduction Scheme was expanded to provide relief to households affected by the changes if their income was in the lower half of incomes in Scotland.
  - The expanded Council Tax Reduction Scheme relief scheme protected low-income households living in Bands E to H from the increase in their bill caused by the increase in the multipliers, and is still available.
- 6. The proportion of properties in each valuation bands E - H varies across the country. This means that some councils would benefit more than others from any increases in council tax in these property bands. Should steps be taken to ensure that all councils benefit proportionately from this policy?**

Yes/ No/ Don't know

Please give reasons for your answer?

The key point to note is that any increased Council tax revenue generated from this change will go towards funding vital Council services. This is set against a very challenging financial landscape faced by Councils across the country which has been impacted significantly through rising inflationary costs. Any overall additional revenue generated should not be a substitute to the need for fair levels of funding from Scottish Government. Across individual local authorities It is recognised that some local authorities have a greater proportion of higher band properties than others, therefore, it is recommended that the Scottish Government work with Scottish Council Directors of Finance through the Settlement and Distribution Group to ensure fairness and equity of revenue distribution across all local authorities.

### More information:

- If further changes were made to charges for property Bands E to H there would be disproportionate benefits to some council areas where they have more Band E to H properties relative to other councils.
- General Revenue Grant is the main source of funding for local authorities.
- The distribution of General Revenue Grant could be adjusted to ensure the benefits are shared proportionately by all councils.
- This adjustment would mean that any changes would not disproportionately benefit, or disadvantage, any council.



## Appendix 1

### 7. Please tell us how changes to Council Tax rates for properties in Bands E, F, G and H might impact you, or the people your organisation represents?

#### More information:

We have undertaken initial work to assess the potential impacts of these changes for individuals and communities. We would welcome your views and comments to help us better understand these impacts.

#### Answer:

Please provide your views

In North Ayrshire, based on the current 2023/24 levels of Council tax the proposed increases would impact the Council tax payer as follows:-

	Current Charge 2023/24 £	% Increase	Potential Charge	Annual Increase £	Weekly Increase £
Band D	£1,452.12	-	£1,452.12	-	-
Band E	£1,907.92	7.5%	£2,051.03	£143.11	£2.75
Band F	£2,359.69	12.5%	£2,654.67	£294.98	£5.67
Band G	£2,843.73	17.5%	£3,341.40	£497.67	£9.57
Band H	£3,557.69	22.5%	£4,358.17	£800.48	£15.39

It is recognised that such increases will have an impact on household finances across the area. The Council supports an expanded Council Tax Reduction Scheme to help protect eligible low-income households living in Bands E to H from the increase in their bill caused by the increase in the multipliers.

### 8. Please tell us how you think changes to Council Tax rates for properties in Bands E, F, G and H would affect your local area, or Scotland as a whole (please consider social, economic, environment, community, cultural, enterprise impacts that you think are relevant)?

#### More information:

We have undertaken initial work to assess the potential impacts of these changes for individuals and communities. We would welcome your views and comments to help us better understand these impacts.

#### Answer:

## Appendix 1

Please provide your views

<b>Council Tax Band</b>	<b>Number of Dwellings</b>	<b>%</b>	
A	21,793	31.0%	
B	18,657	26.6%	
C	7,693	11.0%	
D	7,324	10.4%	79.0%
<hr/>			
E	9,183	13.1%	
F	4,238	6.0%	
G	1,272	1.8%	
H	57	0.1%	21.0%
<hr/>			
	<b>70,217</b>	<b>100.0%</b>	<b>100.0%</b>

North Ayrshire is home to 134,220 residents (2.4% of Scotland's population) with around 70,000 dwellings for Council tax purposes. Based on the Scottish Index of Multiple Deprivation (SIMD) datazone statistics across Scotland, North Ayrshire has 186 data zones, of which 52 (30%) are in the 15% most deprived in Scotland. Within the Council Taxpayer base around 25% of Council Taxpayers are in receipt of Council Tax Reduction, with approximately 20% receiving the maximum 100% Council Tax reduction. In terms of property dwellings, 79% (55,467 dwellings) are categorised within Band A to Band D and will therefore not be affected by the proposed change to the multiplier, with 21% (14,750 dwellings) affected.

### 9. Please tell us how you think changes to Council Tax rates for properties in Bands E, F, G and H might affect Island Communities

#### More information:

- If further changes were made to charges for property Bands E to H there would be disproportionate benefits to some council areas where they have more Band E to H properties relative to other councils.
- General Revenue Grant is the main source of funding for local authorities.
- The distribution of General Revenue Grant could be adjusted to ensure the benefits are shared proportionately by all councils.

## Appendix 1

- This adjustment would mean that any changes would not disproportionately benefit, or disadvantage, any council.

### Answer:

Please provide your views

North Ayrshire has 2 Island communities. Arran and the Isle of Cumbrae within the North Coast locality. Based on recent Economic baseline analysis the working age population in the Isle of Cumbrae is 11% lower than the Scottish average (i.e. 53% versus 64% nationally) with the % share of the population over 65 years old sitting at 38% versus a national average of 19%. In terms of SIMD one of the 2 datazones relating to Cumbrae fall within the top 15% most deprived areas in Scotland. The majority of Council tax bandings fall within the Band A to Band D range and will therefore not be affected by this potential change. Cumbrae has 1,343 dwellings that attract council tax. A total of 1,221 (91%) of properties on the island fall within Band A to Band D and will therefore be unaffected, with 122 (9%) across the Band E to Band H range. The council supports an expansion of the council tax reduction scheme to provide further assistance to eligible households.

With regards to Arran, all but one of Arran's datazones rank above the median overall domain ranking and there is a much higher proportion of properties across the Band E to Band H range. Arran has a total of 3,174 dwellings which attract council tax. A total of 2,029 properties (64%) fall within the Band A to Band D range, with 1,145 properties (36%) across Bands E to H. Arran has a proportionally higher level of Band E to Band H properties when compared to the mainland. The island Act legislation requires that an Islands Impact assessment would require to be undertaken by the Scottish Government.

It is also important to consider the correlation between this Consultation response and that of the Council tax second home consultation. Both island communities have a high proportion of second homes. North Ayrshire Council supports the policy of having the powers to set any Council tax premium on second homes, however, the extent to which will require further detailed modelling of consequences and any unintended consequences. Therefore, any proposed increase in the level of Council tax multiplier would form part of further modelling and impact assessments in respect of the level of any potential Council tax premium related to second homes.

**10. Do you think there would be any equality, human rights, or wellbeing impacts as a result of the proposed increases in Council Tax rates for properties in Bands E, F, G and H ? Please tell us what you think these impacts would be.**

## Appendix 1

Answer:

Yes

No

Don't know

Please give reasons for your answer.

This change would impact around 14,750 households across North Ayrshire (21%). The consultation is open for citizens to express their views for the Scottish Government to consider. The council supports an expanded council tax reduction scheme to provide further support to those eligible households who require it.

In recognising the Island Act legislation there would be a requirement to undertake an Islands Impact assessment.

Special Cabinet  
19 September 2023

**IRVINE**, 19 September 2023 - At a Special Meeting of the Cabinet of North Ayrshire Council at 2.00 p.m.

**Present**

Marie Burns, Tony Gurney, Margaret Johnson, Christina Larsen and Shaun Macaulay.

**Also Present**

Eleanor Collier, Davina McTiernan and Chloé Robertson.

**In Attendance**

C. Hatton, Chief Executive, M. Boyd, Head of Service (Finance) (Chief Executive's Service); A. Sutton, Executive Director (Communities & Education); R. McCutcheon, Executive Director (Place); F Walker, Head of Service (People & ICT); A. Craig, Head of Service, M, McColm, Senior Manager (Communications), S. Wilson and C. Stewart, Committee Services Officers (Democratic Services).

**Apologies**

Alan Hill

**Chair**

Marie Burns in the Chair.

**1. Declarations of Interest**

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

**2. Council Tax Multiplier: Scottish Government Consultation**

Submitted report by the Chief Executive on the recommendations of the Audit and Scrutiny Committee following a call-in request relating to the consultation response in respect of the review of the level of Council tax multipliers for Band E to Band H properties. A copy of the original report presented to Cabinet on 29 August 2023 was attached at Appendix 1 to the report while Appendices 2A and 2B provided information on the call-in requests. Appendices 3A and 3B detailed comments on the call-ins from Officers with Appendices 4 and 5 providing the Minute of the Audit and Scrutiny Committee held on 12 September 2023 and an amended consultation response reflecting the Islands Act duty.

The Cabinet considered the request by the Audit and Scrutiny Committee to reconsider its earlier decision to approve the consultation response from North Ayrshire Council. Members sought further information on the requested extension to the consultation response deadline and the process to take the report to the next meeting of the Council.

Accordingly, the Cabinet (a) agreed not to accept the recommendation of the Audit and Scrutiny Committee to reconsider its earlier decision to approve the consultation response from North Ayrshire Council while adapting the request to include reference to an Islands Impact Assessment within the response; and (b) noted that, in terms of Standing Order 26.7, the matter be referred to the next meeting of the Council for determination.

### **3. Urgent Items**

There were no urgent items.

The meeting ended at 2.10 p.m.

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## NORTH AYRSHIRE COUNCIL

1 November 2023

### North Ayrshire Council

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**Title:** Elected Member Attendance

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**Purpose:** To advise of the circumstances surrounding the non-attendance of an Elected Member and the relevant provisions within Standing Orders Relating to Meetings and Proceedings of the Council and its Committees.

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**Recommendation:** That the Council agrees (a) to note (i) the exceptional circumstances surrounding Councillor John Glover's non-attendance at a meeting of the Council, Committee, Joint Committee, Joint Board or other body as representative of the Council since missing the Hunterston Site Stakeholders Group meeting on 1 June 2023 and (ii) the likelihood that Councillor Glover's absence may extend beyond the six-month period; and (b) that (i) in terms of Standing Orders and section 35 of the Local Government (Scotland) Act 1973, Councillor Glover's failure to attend is due to a reason approved by the Council, such approval for non-attendance being granted until the scheduled meeting of Council on 15th May 2024 and (ii) if required, a further update be submitted to the May 2024 meeting of the Council.

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## 1. Executive Summary

- 1.1 In terms of the section 35 of the Local Government (Scotland) Act 1973, as incorporated into the Council's Standing Orders Relating to Meetings and Proceedings of the Council and Committees, an Elected Member who fails to attend any meetings of the Council, its committees, Joint Committees, Joint Boards or other body as a representative of the Council, throughout a period of six consecutive months ceases being a Member of North Ayrshire Council, unless their non-attendance is due to a reason approved by the Council.

- 1.2 In the case of Councillor John Glover, the Leader of the Main Opposition has advised that serious illness has prevented Councillor Glover attending meetings since the last Council meeting on 17 May 2023. The failure to attend started from the date of the first meeting which Councillor Glover missed, which was 1 June 2023. The period of time likely to be needed for his recovery is such that Councillor Glover's absence risks exceeding the period of six consecutive months provided for in Standing Orders. In the circumstances, the Council is asked to apply appropriate discretion to allow Councillor Glover to remain as an Elected Member.

## **2. Background**

- 2.1 Section 35 of the Local Government (Scotland) Act 1973 states that "...if a member of a local authority fails throughout a period of six months to attend any meeting of the authority, he shall, unless the failure was due to some reason approved by the authority, cease to be a member of the authority....Attendance as a member at a meeting of any committee or sub-committee of the authority, or at a meeting of any joint committee, joint board or other body to whom for the time being any of the functions of the authority are being discharged, and attendance as representative of the authority at a meeting of any body of persons, shall be deemed to be attendance at a meeting of the authority."
- 2.2 In turn, this is incorporated into Standing Order 8.6, which states that:
- "Subject to the provisions of Section 35 of the 1973 Act, if a Member fails throughout a period of six consecutive months to attend any meeting of the Council, Committee, Joint Committee or Joint Board to which any function of the Council has been delegated, or to attend as a representative of the authority at a meeting of any body or person, they shall, unless the failure to attend was due to some reason approved by Council cease to be a Member of North Ayrshire Council."
- 2.3 Case law provides that the period of six consecutive months begins on the date of the first meeting which the member fails to attend. The end of the period of failure to attend must be identified by the date of the last meeting which the member failed to attend. Accordingly, the period of non-attendance may not be exactly six months, depending on the dates of the relevant meetings.
- 2.4 Ward 6 (Kilwinning) Elected Member, Councillor John Glover, serves on Council and the Police and Fire and Rescue Committee. He is also a Council representative on the Ayrshire Valuation Joint Board and the Hunterston Site Stakeholders Group and serves on the Kilwinning Locality Partnership.
- 2.5 Recent ill health has meant that Councillor John Glover, missed a meeting of the Hunterston Site Stakeholders Group on 1 June 2023 and has not been able to attend a meeting of the Council, the committees or outside bodies on which he serves since then. If he were unable to attend the meeting of Hunterston Site Stakeholders Group on 7 December 2023 (or any other meeting prior to that date) then he would at that point cease to be a Member of North Ayrshire Council. The Council does, however, have the power to approve the reason for non-attendance, which would permit Councillor Glover to remain as an Elected Member beyond that date.



### **3. Proposals**

3.1 The Council is invited to agree:

- (a) to note (i) the exceptional circumstances surrounding Councillor John Glover's non-attendance at a meeting of the Council, Committee, Joint Committee, Joint Board or other body as representative of the Council since the Council meeting on 17 May 2023 and (ii) the likelihood that Councillor Glover's absence may extend beyond the six-month period; and
- (b) that (i) in terms of Standing Orders and section 35 of the Local Government (Scotland) Act 1973, Councillor Glover's failure to attend is due to a reason approved by the Council, such approval for non-attendance being granted until the scheduled meeting of Council on 15th May 2024 and (ii) if required, a further update be submitted to the May 2024 meeting of the Council.

### **4. Implications/Socio-economic Duty**

#### **Financial**

4.1 There are no financial implications arising from this report.

#### **Human Resources**

4.2 There are no human resource implications arising from this report.

#### **Legal**

4.3 Failure by the Council to approve the reason for absence, would result in Councillor Glover ceasing to be a Councillor on 7 December 2023, as provided for in Section 35 of the Local Government (Scotland) Act 1973.

#### **Equality/Socio-economic**

4.4 There are no equality/socio-economic implications arising from this report.

#### **Climate Change and Carbon**

4.5 There are no climate change and carbon implications arising from this report.

#### **Key Priorities**

4.6 Not applicable

#### **Community Wealth Building**

4.7 Not applicable.

## 5. Consultation

- 5.1 Councillor Marshall, as Leader of the Conservative and Unionist Group, has updated the Chief Executive on Councillor Glover's illness.

Craig Hatton  
Chief Executive

For further information please contact **Aileen Craig, Head of Democratic Services** on 01294 324125 or by email, [acraig@north-ayrshire.gov.uk](mailto:acraig@north-ayrshire.gov.uk)

### Background Papers

N/A

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# NORTH AYRSHIRE COUNCIL

1 November 2023

## North Ayrshire Council

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**Title:** Working Group on Local Representation

**Purpose:** To report on the findings and recommendations of a short-life Working Group on Local Representation

**Recommendation:** The Council is invited to:

- (a) Note the work carried out by the short-life Working Group on Local Representation; and
- (b) Note the conclusions reached by the Working Group on Local Representation.

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## 1. Executive Summary

- 1.1 At its meeting on 17 May 2023, the Council approved a motion on the establishment of a short-life Member Officer working group to examine opportunities for, and any gaps in, local representation. The motion also sought further information on the operation of community councils and the process for reviewing the Scheme for the Establishment of Community Councils in North Ayrshire.
- 1.2 A politically representative working group met in June and August 2023 to consider the above and prepare recommendations for the Council's considerations.

## 2. Background

- 2.1 The following motion was approved by the Council at its meeting on 17 May 2023:

*“Council notes that Community Councils are operating in some areas of North Ayrshire and are working hard in partnership with local Elected Members to give their communities a voice; however, some areas currently don't have an active Community Council.*

*Council further notes that Community Councils as the first tier of Local Government are an important and vital part of local democracy especially when it comes to their role as a statutory consultee under Planning Legislation.*

*Council therefore agrees to instruct officers to bring to a Special Council meeting a report outlining the current operation of Community Councils in our area and highlighting which areas do not have an active Community Council.*

*Officers are also requested to advise Council of the process for the review of the Scheme of Establishment of Community Councils and its implications in the event that Council decides at a Special Meeting to review the Scheme.*

*Furthermore, the Council agrees to:*

1. *Establish a Members' short-term working group that will explore how local representation operates in each of North Ayrshire's localities. The purposes of this working group will be to:*
  - a. *Establish how local representation currently operates;*
  - b. *Clearly define the representative roles of existing groups;*
  - c. *Identify where there are gaps in local representation; and*
  - d. *Establish a plan that helps ensure equality of local representation across all areas of North Ayrshire, which will include clarification on the different representative roles of Locality Partnerships and community councils and how non-statutory community groups fit into local representation; and*
2. *Consider, review and potentially agree to implement the recommendations of the short-term working group at the proposed Special Meeting of North Ayrshire Council along with the report on the review on the Scheme of Establishment."*
- 2.2 The politically representative working group, which included officer participation from Connected Communities and Democratic Services, met on 27 June 2023 and 10 August 2023. The June meeting focused on the Scheme of Establishment for Community Councils ("the Community Council Scheme") and agreeing what further information the group required to complete the work requested of it. At the August meeting, the group considered a presentation showing the range of communities, both geographical and of interest, who are presently involved in participating through the various mechanisms surrounding locality planning. This is included as Appendix 1.
- 2.3 The current Community Council Scheme was adopted at a Special Meeting of the Council on 30 March 2016. The Scheme provides for up to 17 community councils covering every part of North Ayrshire. At the moment, eleven are active, namely Arran, Beith and District, Cumbrae, Fairlie, Irvine, Kilbirnie and Glengarnock, Kilwinning, Largs, Skelmorlie, Stevenston and West Kilbride.
- 2.4 Locality planning is a requirement of the Community Empowerment (Scotland) Act 2015. It is one of the ways local communities work together with public and third sector organisations to improve residents' lives and neighbourhoods. North Ayrshire has taken a particularly inclusive approach to community and locality planning, understanding that building community capacity and social capital within our communities is a more effective route to reducing inequalities than public sector service delivery alone.
- 2.5 Each of the 6 localities in North Ayrshire – Arran, Garnock Valley, Irvine, Kilwinning, North Coast and the Three Towns – has a well-developed Locality Partnership, where elected members, community representatives and officers from the Council and partners come together to identify and act on their local priorities. The work of these partnerships extend beyond the formal meetings themselves, with a range of participation opportunities available in each locality. Appendix 1 explains these and

the various communities, geographical and of interest, who are engaged in them. The overview is illustrative, not comprehensive.

- 2.4 The working group considered the support which is available should areas without an active community council wish to establish one, and the range of other groups in each area including the ways which they can be involved in decision making. They also considered the national context, with the Democracy Matters phase 2 conversation taking place nationally to consider if some decisions about a wide range of Scotland's vital public services that are currently the responsibility of either national or local government should be taken closer to the people they most affect. This is part of the ongoing Local Governance Review which has been a shared review by the Scottish Government and CoSLA and is expected to produce recommendations for action.
- 2.5 The group considered how information on the opportunities which are available to participate is shared with communities. The development of a new participation strategy, outlining the commitment of the Council and its partners to participative approaches, and the various opportunities which are available, will help to clarify the purpose of different community participative groups and the ways in which people can take part in them. This will include clear information of the roles of the representative groups as well as the less formal routes for participation.

## **Conclusions**

- 2.6 The working group found that there was no current need for a review of the community council scheme of establishment, given the range of participation opportunities available in all geographical areas. Encouragement would continue to be given for community councils to be established in areas which do not currently have one. In the absence of any recommendation by the working group to conduct a formal review of the Community Council Scheme at this stage, there is no requirement for the matter to be considered at a Special Meeting of the Council.
- 2.7 The working group recognised that the local representation through locality planning is extensive and that the majority of groups in each area are already represented in an appropriate way. They agreed that there were several groups where stronger links should be developed in order to ensure all communities of interest across the area had opportunities to participate. This in particular included continuing the developing work with older people, and ensuring that the link with BME communities is strengthened. Work is being progressed around these areas.
- 2.8 The working group requested that consideration be given to whether non-statutory community groups could receive information on planning proposals in order to submit responses. This was investigated and information was shared that groups could sign up to the portal in order to receive the same information as statutory consultees such as Community Councils. This will be vigorously promoted.
- 2.9 In view of the depth and breadth of participation and engagement across North Ayrshire, and the potential of forthcoming change through the conclusions of the Local Governance Review, the working group concluded that there was no need for any changes to the current landscape of representation within North Ayrshire beyond the developmental work outlined in 2.7. In addition the promotion of opportunities to participate should continue through local networks and partners to ensure that the widest possible range of community members are aware of them.

### **3. Proposals**

- 3.1 Note the work carried out by the short-life Working Group on Local Representation; and
- 3.2 Note the conclusions reached by the Working Group on Local Representation.

### **4. Implications/Socio-economic Duty**

#### **Financial**

- 4.1 None

#### **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 Strategic Aim - We will have active, inclusive and resilient communities.

#### **Community Wealth Building**

- 4.7 None

### **5. Consultation**

- 5.1 No consultation was required.

Dr Audrey Sutton  
Executive Director of Education and Communities

For further information please contact **Rhonda Leith, Head of Service (Connected Communities)**, on **01294 324415** or **Rhondaleith@north-ayrshire.gov.uk**.

#### **Background Papers**

Appendix 1: MOWG Report Presentation

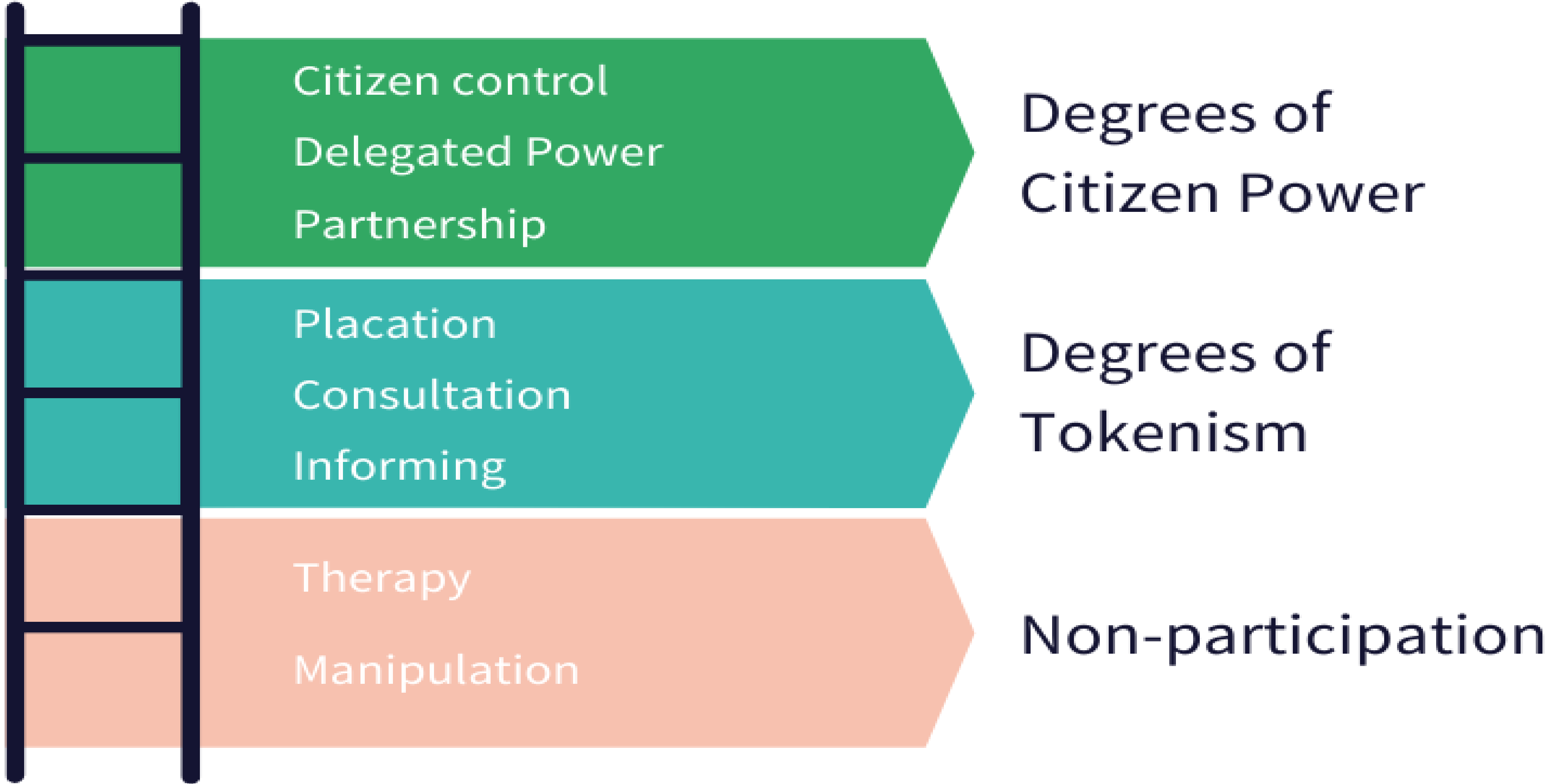
# PARTICIPATION MAPPING



# INTRODUCTION

- Opportunity to participate: To influence and effect change beyond consultation

## Arnstein's Ladder of Public Participation





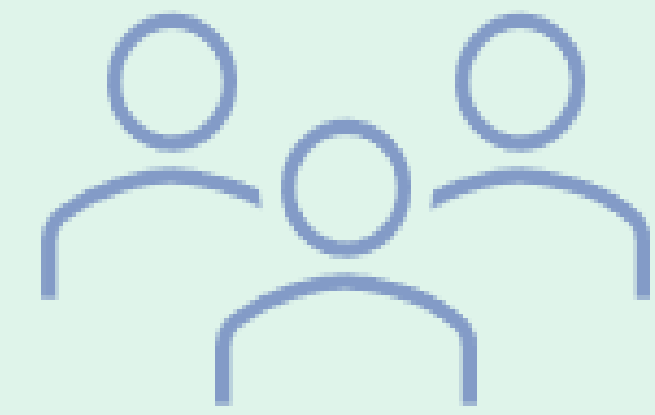


# Thematic Engagement – Strategic and through CLD Senior Manager Support

- *North Ayrshire Wide Strategic*  
*Groups:NAFCO, TACT, Third Sector Chief Officers Group*
- *Groups in role as Lead Officer for Three Towns and Garnock Valley Locality*  
*Partnerships: Kilbirnie Loch Management Group, Saltcoats Ripple Effect*



# Thematic engagement New Scots and Community Capacity

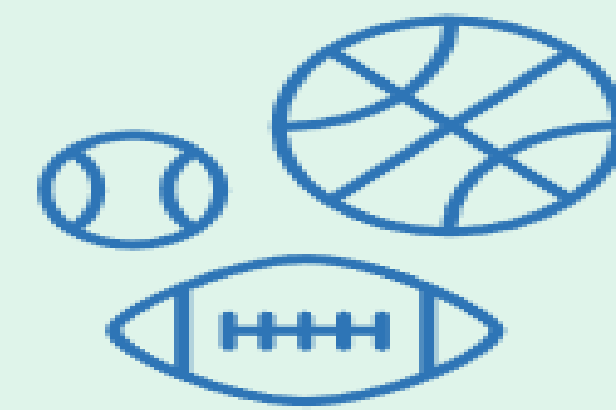


## YOUNG PEOPLE

- Joint Cabinet
- P7 Youth Council
- Youth Council Executive
  - Young Carers
- LGBTQI National and locally
  - British Youth Council
  - Joint Youth Forum
- Climate Change Ambassadors
- Mental Health Ambassadors
  - MSYPs
  - Equalities Forum
- One Voice Care Experienced Forum

## NEW SCOTS AND GAELIC

- Ukrainian Community in North Ayrshire
  - Spike Wheat Scots
  - Suas Leis a Ghaidhlig



## YOUNG PEOPLE

- North Ayrshire Sports Academy Forum
- Young Ambassadors Forum
- Team Inspire
- Active Girls Committee
- Schools Sports Councils
- Schools Pupil Councils
- PE focus groups
- Nurture groups

## WIDER COMMUNITY

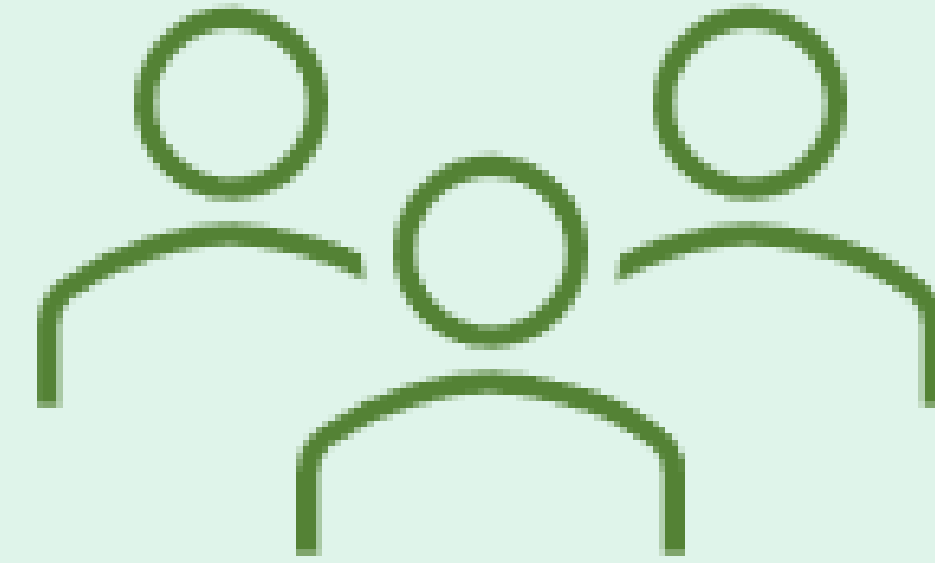
- North Ayrshire Fairer Food Network (13 Larders)
- North Ayrshire Food Forum (newly formed)
- North Ayrshire Foodbank
- PB Community Reviewer Groups
  - Community Leadership Collective
  - Older People's Voice
- Community Engagement Hubs

# GARNOCK VALLEY LOCALITY



## YOUNG PEOPLE

- Youth Forum
- Joint Cabinet
- Equalities Forum



## COMMUNITY NETWORKS

### COMMUNITY COUNCILS

- Kilbirnie & Glengarnock CC
- Beith and District CC

### COMMUNITY ASSOCIATIONS

#### Kilbirnie & Glengarnock CA

- Barrmill CA
- Dalry CA
- Beith CA

### OLDER PEOPLE

- Dalry Elderly Welfare Committee
  - Beith Orr Park NW
- Montgomery Court Committee



## WIDER COMMUNITY

- Garnock Valley Locality Network
  - Dalry Community Sports Club
    - Dalry Comm Dev Hub
- Beith Community Development Trust
  - GV Food Network
- Lochshore Development Group
  - Mens Sheds
- Dalry Action Group
- Garnock Valley Allotments Assoc
  - Café Solace
- Beith Community Larder
- Dalry Community larder
- The Wee School Pantry
- Dalry Community Garden

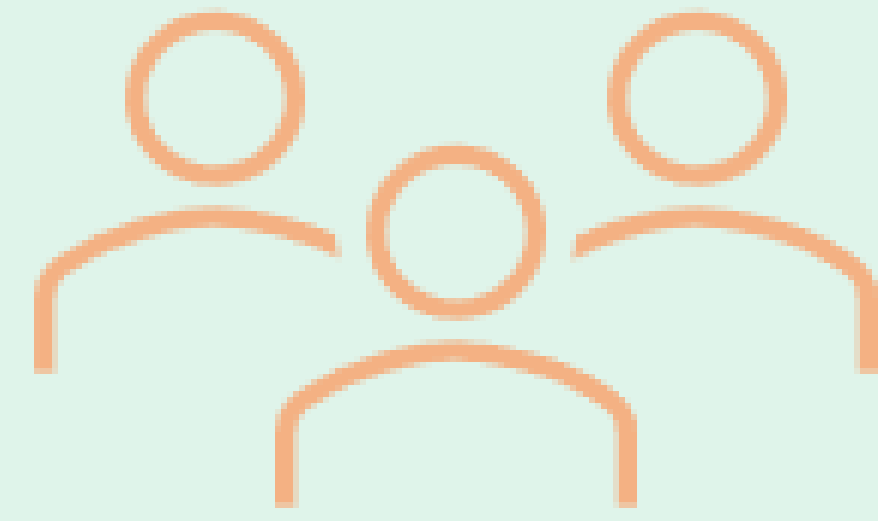


# KILWINNING LOCALITY



## YOUNG PEOPLE

- LGBT Youth Forum
- Joint Cabinet
- Equalities Forum



## COMMUNITY NETWORKS

### COMMUNITY COUNCILS

- Kilwinning

### COMMUNITY ASSOCIATIONS

- Whitehirst Park
- Nethermains
- Cranberry Moss
- Woodwynd
- Love Hall

### OLDER PEOPLE

Kilwinning Elderly Forum



## WIDER COMMUNITY

- Kilwinning Locality Network
- Kilwinning Chit Chats
- Eglinton Growers
- Eglinton Community Gardens
- The wee shoap, Woodwynd
- Cranberry's larder
- PRYDE
- Kilwinning Community Sports Club
- Kilwinning Football Academy

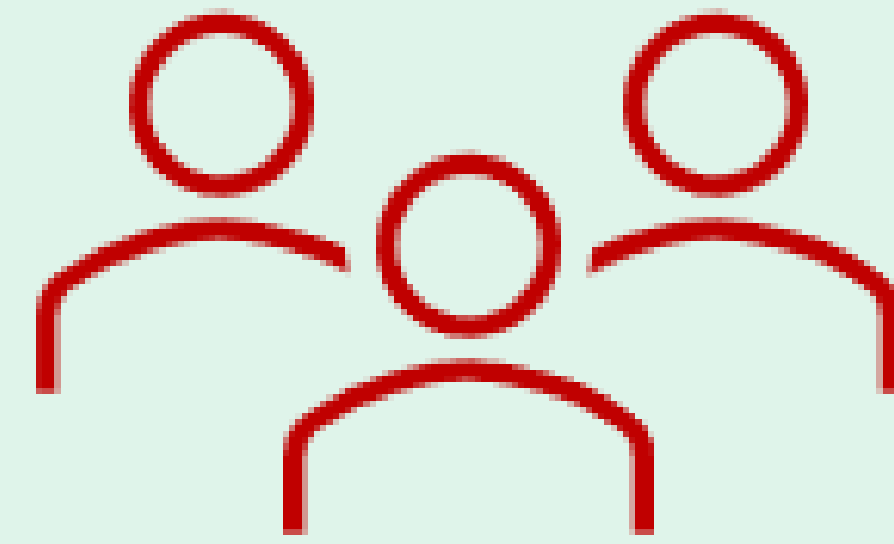


# NORTH COAST LOCALITY



## YOUNG PEOPLE

- NC Youth Forum
- Joint Cabinet
- Equalities Forum



## COMMUNITY NETWORKS

### COMMUNITY COUNCILS

- Cumbrae
- Fairlie
- Largs
- Skelmorlie

### COMMUNITY ASSOCIATIONS

- Fairlie
- Skelmorlie

- West Kilbride Com Centre
- West Kilbride Village Hall

## OLDER PEOPLE

- Age Well West Kilbride
- Cumbrae Forum
- Kilwinning Elderly Forum
- Skelmorlie Elderly Forum



## WIDER COMMUNITY

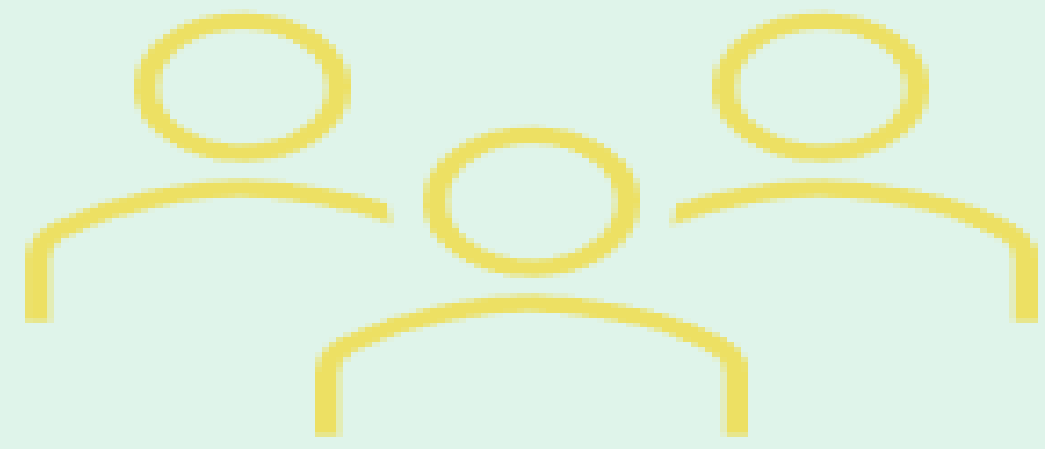
- NC Locality Network
  - West Kilbride Environmental Group/Friends of Kirktonhall Glen
  - Organic Growers of Fairlie
  - Largs Foodbank
  - The Village Larder, West Kilbride
- Skelmorlie Development Group
- Largs Access to Food Group
- Largs Church of Naz food provision
  - NC Chit Chats
  - NC Mens Shed
  - West Kilbride Community Initiative
  - Douglas Park

# THREE TOWNS LOCALITY



## YOUNG PEOPLE

- Ardrossan Youth Association
- Ardrossan Scouts
- Ardrossan Sea Cadets
- SCRATCH Group
- Joint Cabinet



## COMMUNITY NETWORKS

### COMMUNITY COUNCILS

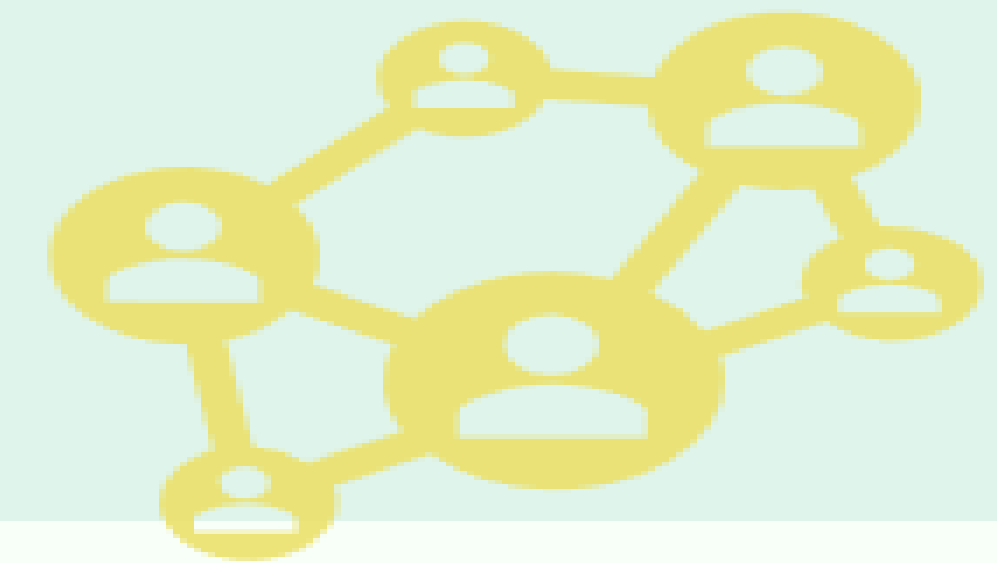
- Stevenston

### COMMUNITY ASSOCIATIONS

- Whitlees
- Ardeer
- Hayocks
- Stevenston North
- Argyle

### OLDER PEOPLE

- Three town opportunities in retirement
  - Hope project group various
  - Hayocks over 50's
- 3 Towns Champions Discovery Group
- A new hope mental health support group
  - Time to Talk mental health group
- Lets Save lives mental health group
  - Three Towns Carers
  - Three Towns FM
  - Friends Of Stevenston
  - Three Towns Elderly Forum
  - David White hub Committee
  - 3 towns men shed



## WIDER COMMUNITY

- Is there a locality network
- Three towns clean up crew network
  - Stevenston Climate town
    - Steering group
    - Evolution Skatepark
- Hayocks Parent Council/Hayocks TARA swing park
  - Raise your voice with Ardeer
    - SALT group
    - SPLASH group
    - Harbour Group
    - The Ripple effect
    - The Tap End Larder
      - Ardeer Larder
  - Argyle Community Shop
  - Ardrossan South Larder
    - The Quaint Larder
- Ardrossan/Winton Sports group
- Ardrossan Castle Heritage Group



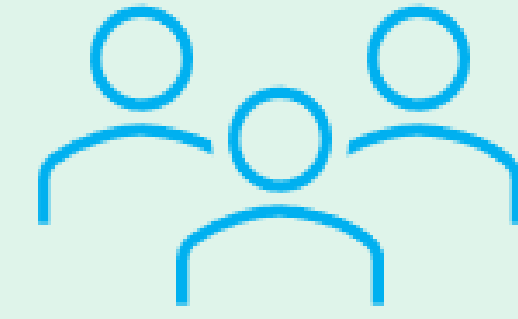


# ARRAN LOCALITY



## YOUNG PEOPLE

- Arran Youth Foundation Youth Forum
- Arran High Mountain Bike Club
- Joint Cabinet



## COMMUNITY NETWORKS

- Arran Community Council
- COAST
- Arran Eco Savvy
- Arran CVS
- Arran Geopark
- Arran Islands plan working groups
  - Community
  - Environment
  - Economy
- Arran Pioneer project
- Arran Access Trust
- Arran Ferry Committee
- Arran Recovery Group (now stood down)
- Visit Arran

## OLDER PEOPLE

- Arran HSCP Patient Service User Group
- Arran Elderly Forum



## WIDER COMMUNITY

- Hall committees and action groups
  - Kilmory village Hall and bunk house
  - Kildonan Hall and Improvements Committee
  - Lamlash Improvements association
  - Corrie and Sannox Village Hall Committee
  - Lochranza and Catacol Village hall
  - Pirnmill Village Association
  - Shishkin Valley improvement committee
  - Whiting Bay and District Improvements association
  - Brodick Improvement Committee
- Arran Churches together
- Arran Foodbank

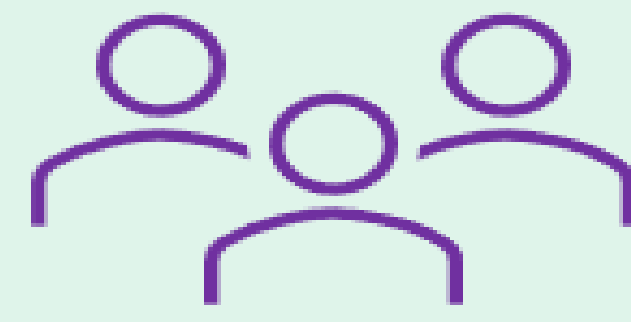


# IRVINE LOCALITY



## YOUNG PEOPLE

- Irvine Youth Forum
- Greenwood Parent Council
- Irvine Royal Parent Council
- Irvine Youth Legacy Centre
  - Joint Cabinet
- Equalities forum



## COMMUNITY NETWORKS

### COMMUNITY COUNCILS

- Irvine CC

### COMMUNITY ASSOCIATIONSS

- Towerlands
    - BABCA
  - Castlepark
  - Fullarton
  - Dreghorn
  - Drybridge
  - Vineburgh
  - Springside
  - Friends of Redburn
- ### OLDER PEOPLE
- Irvine Elderly Forum
  - Vennel Garden Committee
    - Perceton SW1
  - Irvine Discovery Award Group



## WIDER COMMUNITY

- Irvine Locality Network
- Girdle Toll Foodbank
- Choices community shop
- The Farm basket, Bourtreehill
- The 'Side larder
- Harbourside Men's Shed
- Newtown Men's Shed
- Irvine Clean up Crew
- Crossing Together
- Ayrshire Recovery Group
- Micha Project
- Marymass Committee

# INITIAL GAP FINDINGS – Development Areas

- ASN parents
- Older Peoples structure finalised
- BME
- Accessibility Forum



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# NORTH AYRSHIRE COUNCIL

1<sup>st</sup> November 2023

## North Ayrshire Council

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**Title:** B714 No. 1 Compulsory Purchase Order

**Purpose:** This Report requests that the Council approve the recommendation to make the Compulsory Purchase Order (CPO) to facilitate the construction of Phase 1 of the B714 Upgrade

**Recommendation:** That the Council resolves to make a Compulsory Purchase Order to be called “The North Ayrshire Council (B714) No. 1 Compulsory Purchase Order 2023 as detailed in the Report and on the Plans.”

---

## 1. Executive Summary

- 1.1 The upgrade of the B714 is a strategic transport priority of the Council. It aims to increase the potential for economic development and tourism by significantly improving connectivity to and from Glasgow, the central belt and wider motorway network. A successful bid to the UK Government’s Levelling Up Fund (LUF) of £23.7 million was confirmed on 27<sup>th</sup> October 2021.
- 1.2 At its meeting on 29<sup>th</sup> August 2023 Cabinet noted the proposed delivery of the project across two phases, agreed to the submission of the updated outline Business Case to the UK Government for approval and subject to that approval, agreed the reallocation of Council funding to support the delivery of the project.
- 1.3 The B714 Project Team has progressed the design of the Project and defined the land required to construct the B714 Upgrade. Due to the number of plots of land involved it is unlikely that acquisition by agreement in an appropriate timescale will be possible and it is now appropriate to commence the compulsory purchase process to secure the necessary land for the project. Officers will continue to seek voluntary acquisition alongside the CPO process as it is desirable to acquire land by agreement where possible.

## **2. Background**

- 2.1 North Ayrshire has been identified as a priority 1 category authority in terms of the LUF funding given North Ayrshire's socio-economic and connectivity challenges. A £23.7m allocation was secured from Round 1 of the LUF in October 2021 to support the delivery of the project, match funded by a £3m allocation from the Council's Recovery and Renewal Fund.
- 2.2 The upgrade of the B714 will significantly improve connectivity between North Ayrshire and Glasgow, the central belt and wider motorway network. This will substantially increase the potential for tourism and economic development and will provide enhanced links to the Arran and Cumbrae ferry services. It will contribute to the re-population of the islands and rural areas by providing improved access between the ferry terminals, mainland settlements, Glasgow, the central belt and wider motorway network. It will ensure that those living in rural, remote and island communities are well connected and have equitable access to services as those living in the rest of Scotland. It will also divert a significant volume of traffic accessing the A78 away from Kilwinning as traffic will connect directly to the A78 via the new upgraded B714.

### **Land Acquisition**

- 2.3 The B714 Project Team has progressed the design of the project and, due to the increase in construction costs, the Council will deliver the project across two phases with:
- Phase one commencing at Girthill to Hillend Roundabout with on-line improvements between Meiklelaught and Muirlaught
  - The construction of a roundabout to connect the upgraded road to the Hillend Roundabout
  - Phase Two between Sharphill Roundabout and Muirlaught Farm being delivered at a later date, subject to funding.
- 2.4 Phase one will:
- Improve the resilience of and enhance the most direct link between Glasgow and the Three Towns
  - Improve safety and contribute to accident reduction on the B714 through increased width and improved road alignment over the most sub-standard sections from Girthill to Hillend Roundabout and Meiklelaught to Muirlaught and
  - Contribute to alleviating congestions and air quality related issues in Kilwinning.
- 2.5 The land required to implement Phase one has been identified and is detailed on the plans attached to this report. There are over 50 separate areas comprising areas to be acquired outright and others for the creation of new rights required for the project. Officers will continue to seek voluntary acquisition alongside the CPO process as it is desirable to acquire land by agreement where possible. However, considering the above and given the importance of the B714 upgrade as part of North Ayrshire's strategic transport priorities it is now appropriate to commence the compulsory purchase process through the making of a CPO to acquire control over all of the necessary land that is unlikely to be secured by agreement.
- 2.6 The design work will continue on the route and whilst it is anticipated that there may be further minor changes as the detailed design progresses, any such changes are not likely to increase the required land take.

## **Compulsory Purchase Order**

- 2.7 If Council approves the recommendations contained in this Report, the CPO will be made, advertised, and served on all relevant parties. It is proposed that service of the CPO will likely be carried out by January 2024.
- 2.8 Following notice being served, the CPO will be sent to Scottish Ministers for confirmation. The process allows proprietor objections to be made to the CPO over a minimum period of 21 days. Any objections require to be sent to the Scottish Ministers in writing. Should the Scottish Ministers receive objections they will contact the Council to ask if they can be resolved and subsequently withdrawn.
- 2.9 Should objections from landowners, tenants or occupiers be substantial, the Scottish Ministers must arrange for the Public Local Inquiry (PLI) to be held. If a PLI were to be held, Scottish Ministers will appoint an independent reporter who will consider the case being made by the Council and any objectors. On completion of the PLI, the Reporter will submit a Report to the Scottish Ministers making a recommendation on whether the CPO should be confirmed. Scottish Ministers will then consider the Report and make a final decision on whether to confirm the CPO. There are no set timescales for these processes, but they typically take between 12-18 months from the making of a CPO to decision by the Scottish Ministers.
- 2.10 The rights of the owners of land or property under the Human Rights Act 1998 must be considered before deciding to make a CPO. In this connection, it is considered there is a compelling case in the public interest for acquisition of the ground to secure the upgrade of Phase 1 of the B714 and a CPO will strike an appropriate balance between public and private interests.

## **3. Proposals**

- 3.1 The proposal is that The North Ayrshire Council resolves in exercise of the powers conferred by sections 103 to 106 inclusive and 110 of The Roads (Scotland) Act 1984 and in accordance with the provisions of the Acquisition of Land (Authorisation Procedure)(Scotland) Act 1947 to make a Compulsory Purchase Order to be called The North Ayrshire Council (B714 No.1) Compulsory Purchase Order 2023 to purchase compulsorily ALL and WHOLE (One) those plots of ground shown delineated in red and coloured pink and (Two) servitudes rights over those plots of ground shown delineated red and coloured blue on the four plans annexed hereto which are required for Phase One of the B714 upgrade, authorise and instruct a Proper Officer to sign the order and plan on behalf of the Council, affix thereto the Common Seal of the Council, submit the Order and Plan to the Scottish Ministers for confirmation, give the appropriate notice to the owners and occupiers of the subjects, insert the appropriate notice in the local press and certify to the Scottish Ministers that the subjects (a) do not belong to the local authority (b) have not been acquired by statutory undertakers for the purpose of the undertaking (c) do not form part of a common or open space (d) are not held inalienably by the National Trust for Scotland and (e) are not listed as being of special historical or architectural interest under Section 1 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, and take all steps necessary to complete the compulsory purchase procedures

## **4. Implications/Socio-economic Duty**

### **Financial**

4.1 The cost estimate for Phase 1 of the project is estimated at £31.7m, inclusive of contingency and inflation allocations. The Department for Transport (DfT) has indicated that there is a possibility that the funding could be cancelled if government policy changes or if the necessary legal permissions or match funding cannot be secured. The Council requires to provide 10% match funding for the initial £23.7m project and this will be met by the £3m Recovery and Renewal Fund Capital Allocation approved by Cabinet on 15<sup>th</sup> June 2021. Subject the approval of the Final Business Case by the UK Government, the balance of the £5 million deficit will be met by the reallocation of funding approved by Cabinet on 29<sup>th</sup> August 2023.

### **Human Resources**

4.2 The estimated cost of the staffing requirements for the project were included in the application and business case submitted. These have been refreshed in the updated estimates. This includes project management and legal staffing requirements to support the land acquisition process.

### **Legal**

4.3 The relevant legislation for making the CPO for the purposes for the construction of a roads project is as follows:

1. Sections 103 -106 and 110 of the Roads (Scotland) Act 1994 and
2. Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947.

A parallel landowner negotiation and Compulsory Purchase Order process is proposed to progress the land requirements for the B714 as is to ensure that the land acquisition can be achieved and the project delivered within the funding timescales. This is proposed due to the length of the route, number of landowners and timescales for delivery and the preference as previously stated will however be to negotiate and reach agreement with the landowners on the purchase of the land. A compulsory Purchase Order is the only way to complete title to land where the owner is not willing or not able to agree a voluntary transfer. The process can take some time to complete but commencing the procedure does not preclude negotiations with the owners continuing.

### **Equality/Socio-economic**

4.4 The project will assist in meeting our socio-economic duty as set out in the Fairer Scotland Duty. It seeks to reverse economic, social and physical decline and reduce socio-economic disadvantage and aims to build community wealth and tackle local deprivation by improving connectivity to support economic development and the re-population off the islands which will contribute to the regeneration of the communities.

## **Climate Change and Carbon**

- 4.5 The project aligns with the approved Environmental Sustainability and Climate Change Strategy. The upgraded B714 project will also reduce the impact of transport on our communities. In particular, it will reduce the volume of traffic travelling through Kilwinning past four schools, reducing pollution, congestion and the potential for accidents. It is envisaged that it will also improve electric vehicle charging availability and enhance active travel between the three towns and the Garnock Valley however these improvements will require to be funded from alternative funding sources.

## **Key Priorities**

- 4.6 The project will contribute to the four Council Plan priorities and key activities of: Ensuring our places and spaces where we live, work and visit are well maintained and accessible; Developing infrastructure to support business growth; Working with communities to adopt low carbon behaviour change; Transitioning to low and zero carbon travel; and Focusing our investment on priorities.

## **Community Wealth Building**

- 4.7 The project will contribute to community wealth building and in particular will have a significant positive impact on the Council's ambitions under the following pillars:

Procurement: Local supply chain opportunities will be created through the project for future procurement exercises related to the project, the EDR business Development team will review opportunities for the North Ayrshire business base and provide supplier development support as required.

Fair employment: The project will create employment opportunities, particularly within the construction sector. Where North Ayrshire is the contractor for services, through our enhanced community benefits approach we will ensure the creation of local training and work experience opportunities. Furthermore, the upgrade of the B714 will provide enhanced connectivity to help those from rural areas access work.

Financial Power: The project will invest in localities and leverage external national investment into North Ayrshire.

## **5. Consultation**

- 5.1 The draft Outline Business Case and design has been informed by consultation with Elected Members, landowners, communities, road users, transport providers, transport industry and community organisations. This included a public consultation and exhibition in November and December 2022. Further consultation and engagement will be undertaken to inform the development of the Final Business Case and detailed design.

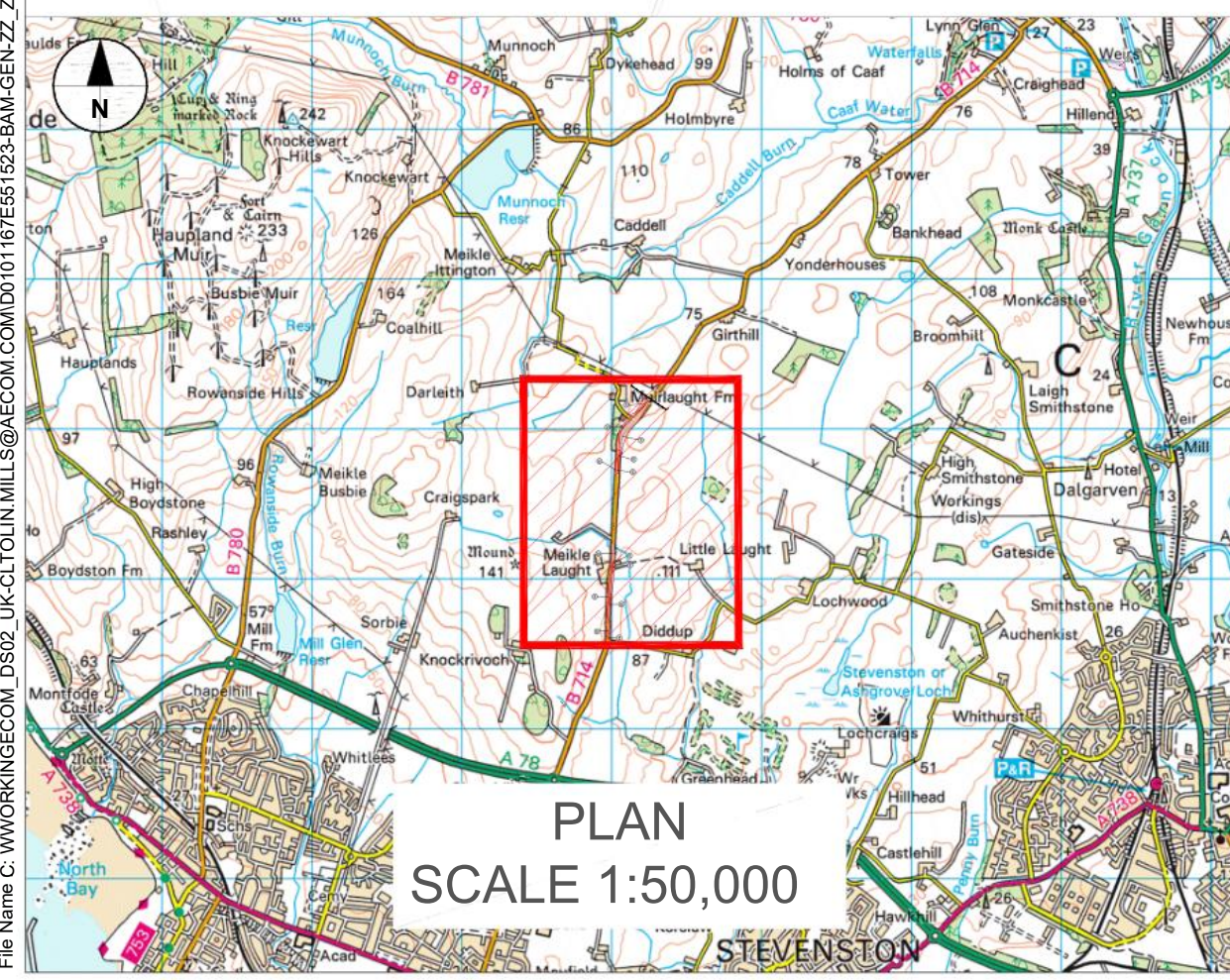
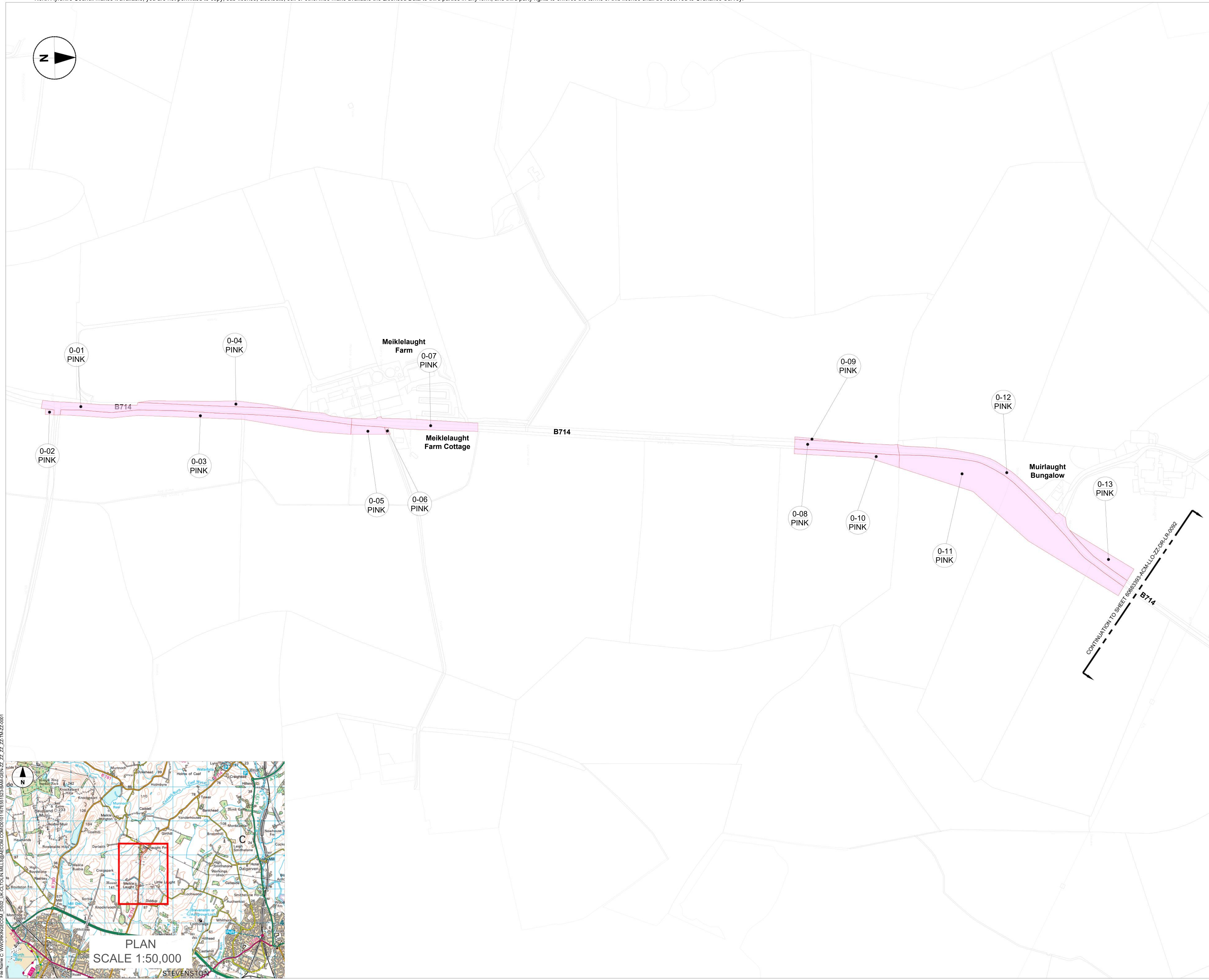
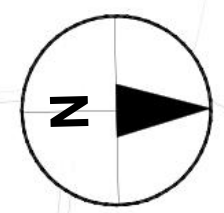
**Aileen Craig**  
**Head of Democratic Services**

For further information please contact **Raymond Lynch, Senior Manager Legal Services**, on **01294 324321**.

### **Background Papers**

N/A





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- BLUE SERVITUDE RIGHT TO BE ACQUIRED

FOR INFORMATION	By	Date	Suffix
		25/07/23	P02.1

**REVISION DETAILS**

Check	Date	Suffix

**INITIAL STATUS OR WIP**

Client



Project Title

**B714 Upgrade**

**COMPULSORY PURCHASE ORDER 1 PLANS SHEET 1 OF 4**

Designed	Drawn	Checked	Approved	Date

Internal Project No. 60683393

Scale @ A1 1:2500

Suitability S0

Volume Land Ownership Boundaries

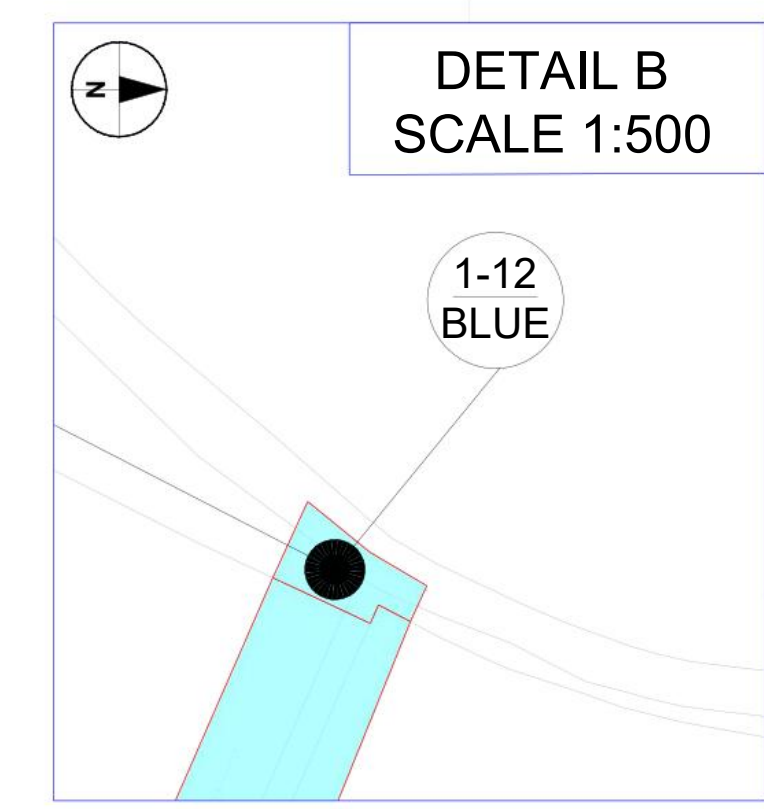
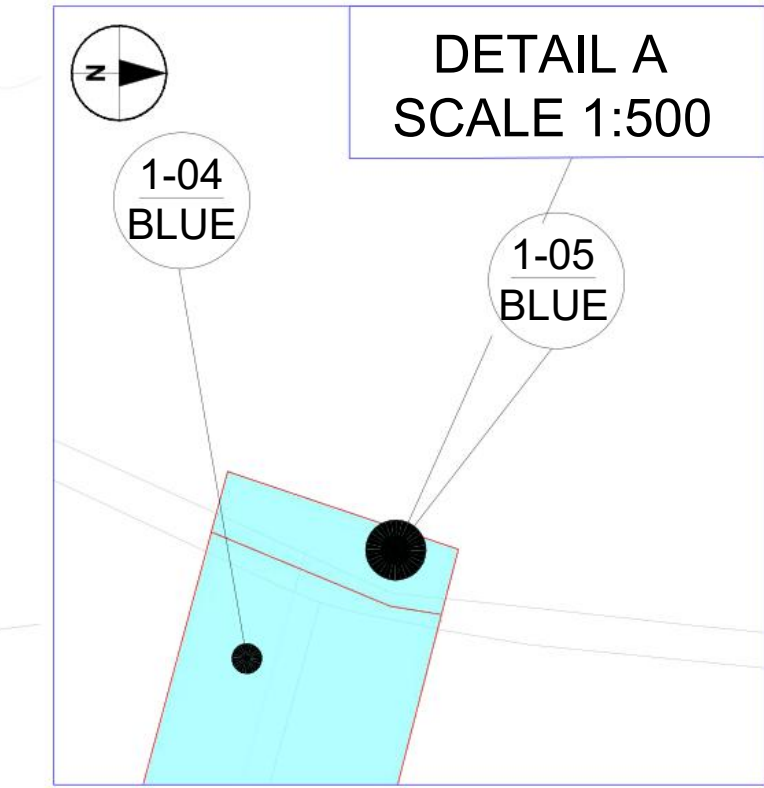
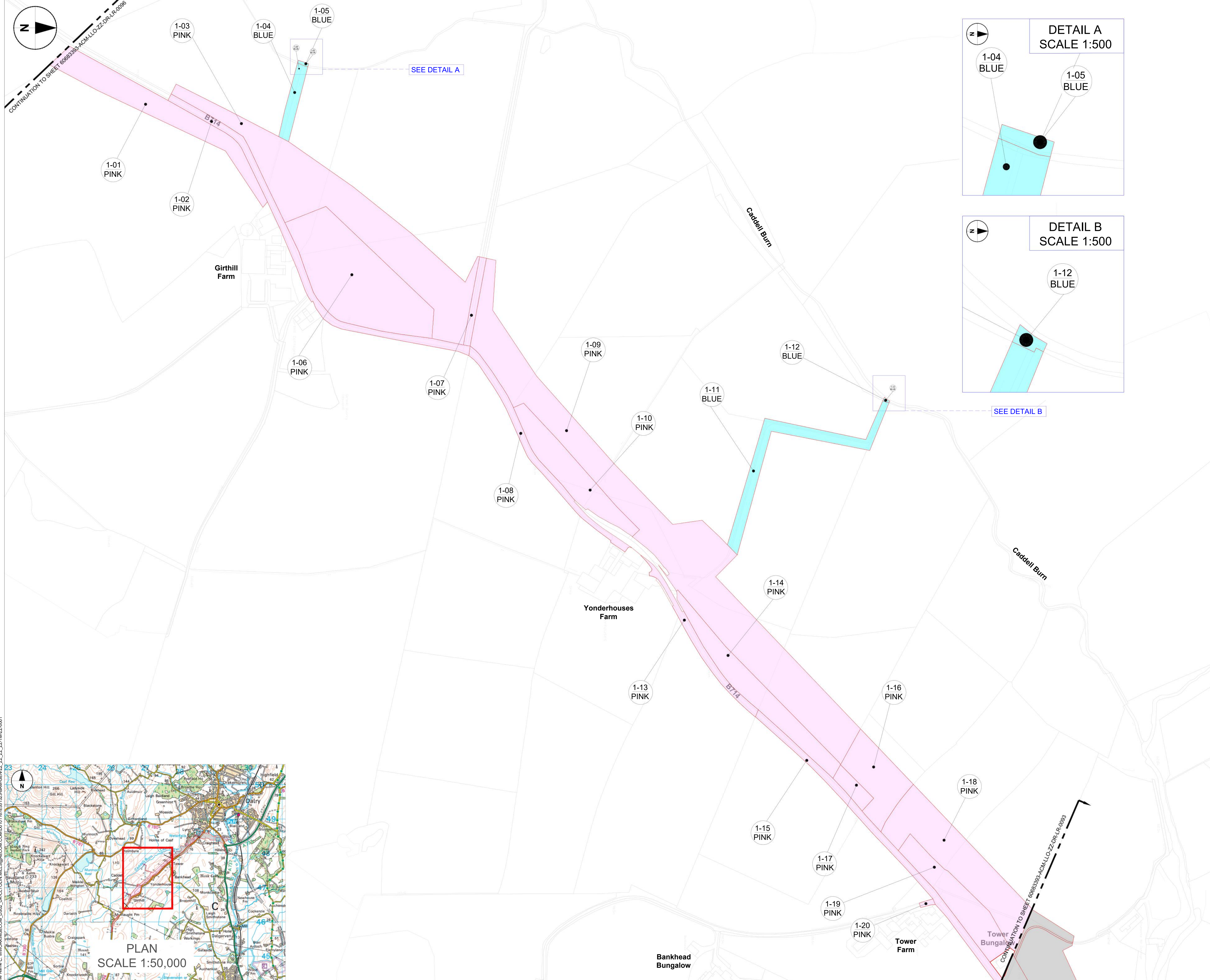
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Project Title

**B714 Upgrade**

Drawing Title

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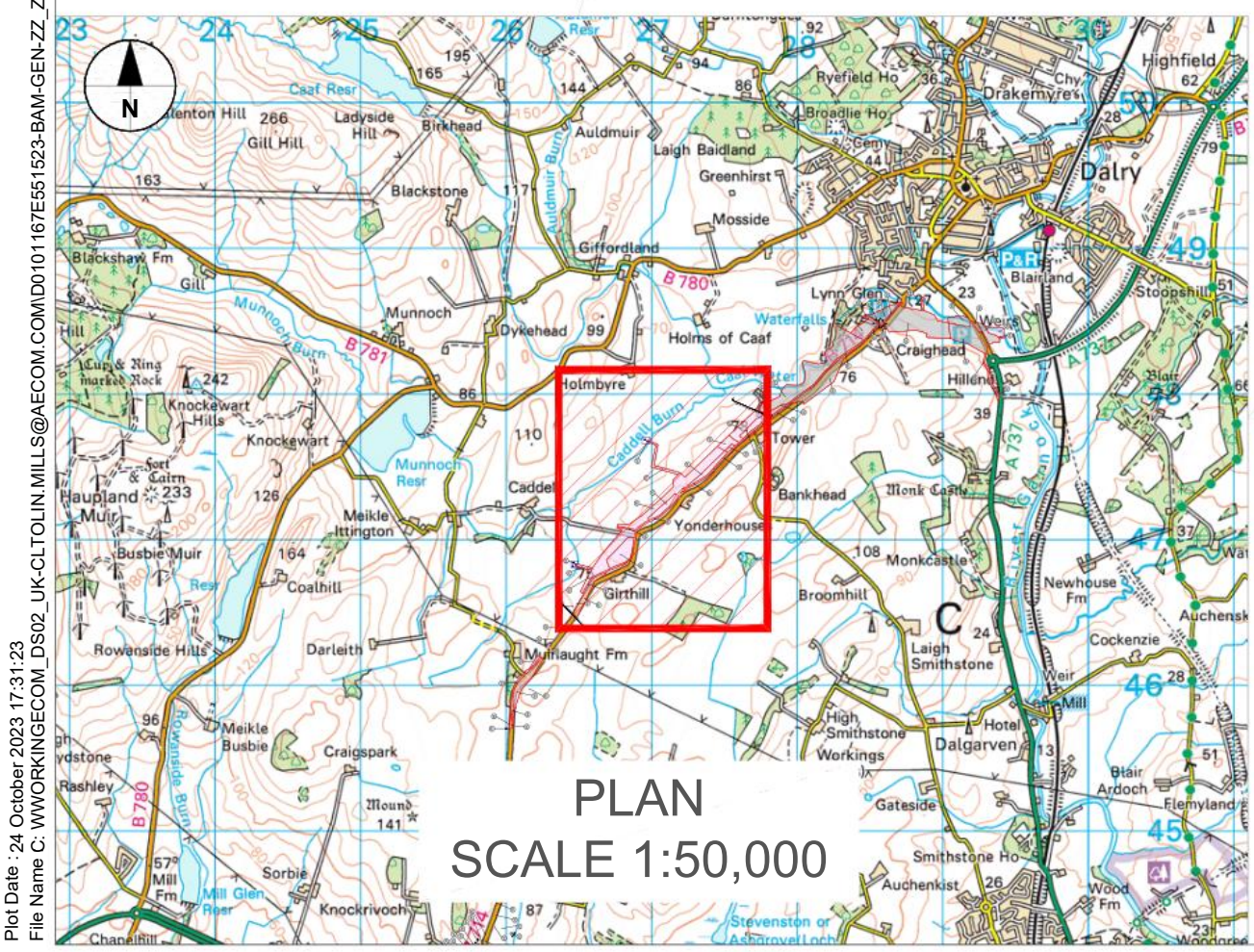
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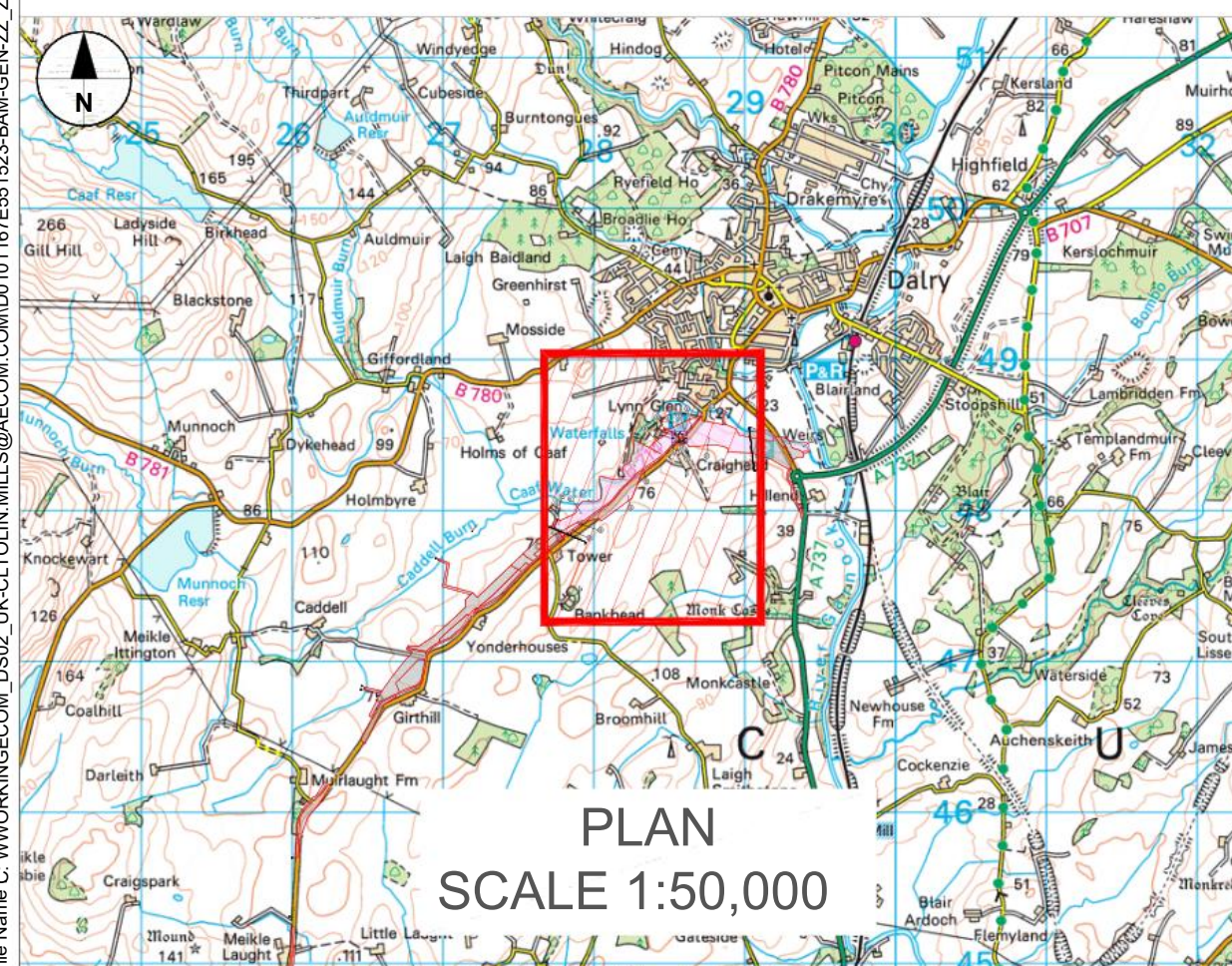
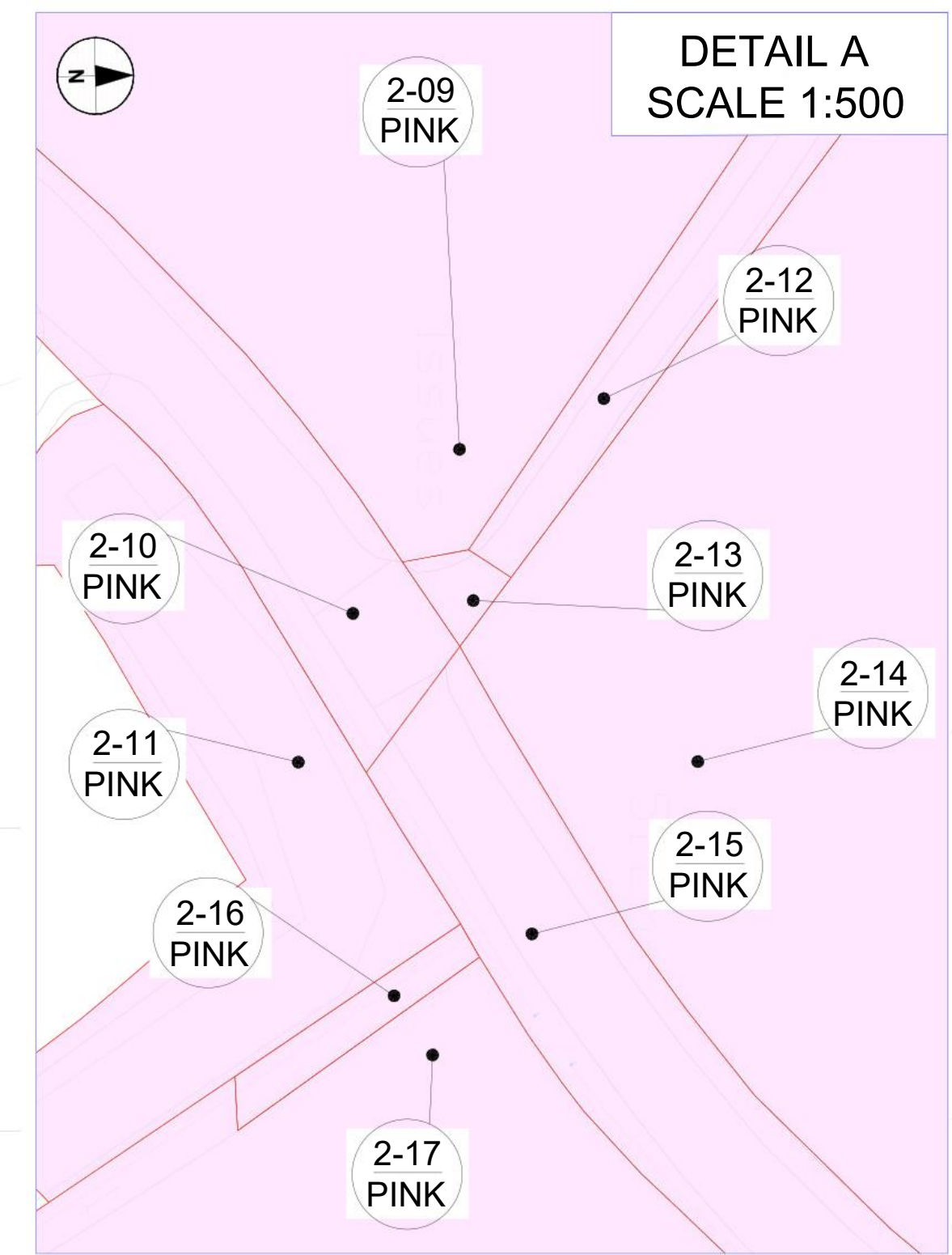
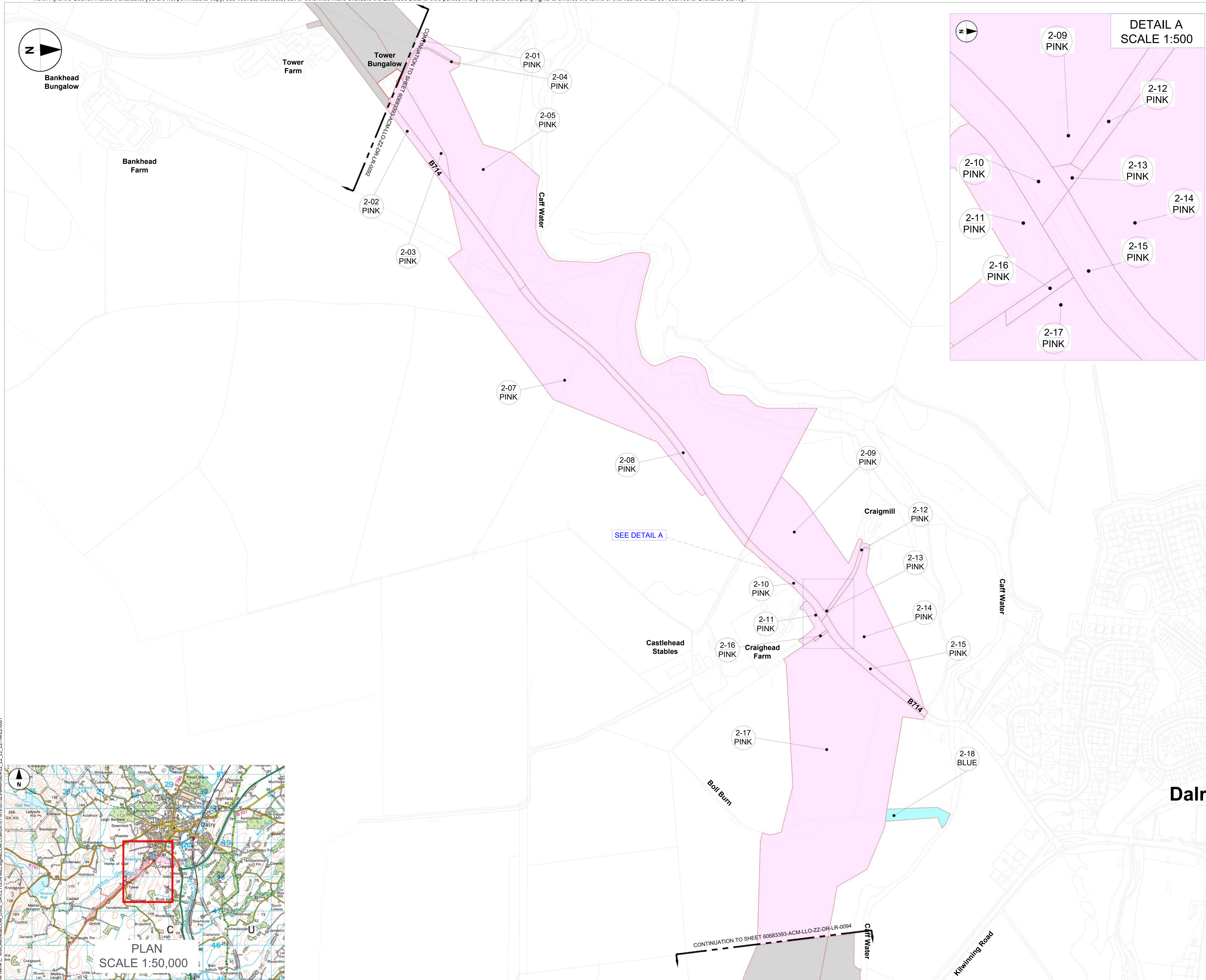
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60683393-ZZ	-ACM-	-LLO-	-DR-LR-0092	P03.1



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		01/09/23	P03.1

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Purpose of issue

**INITIAL STATUS OR WIP**

Client



Project Title

**B714 Upgrade**

Drawing Title

**COMPULSORY PURCHASE ORDER 1 PLANS SHEET 3 OF 4**

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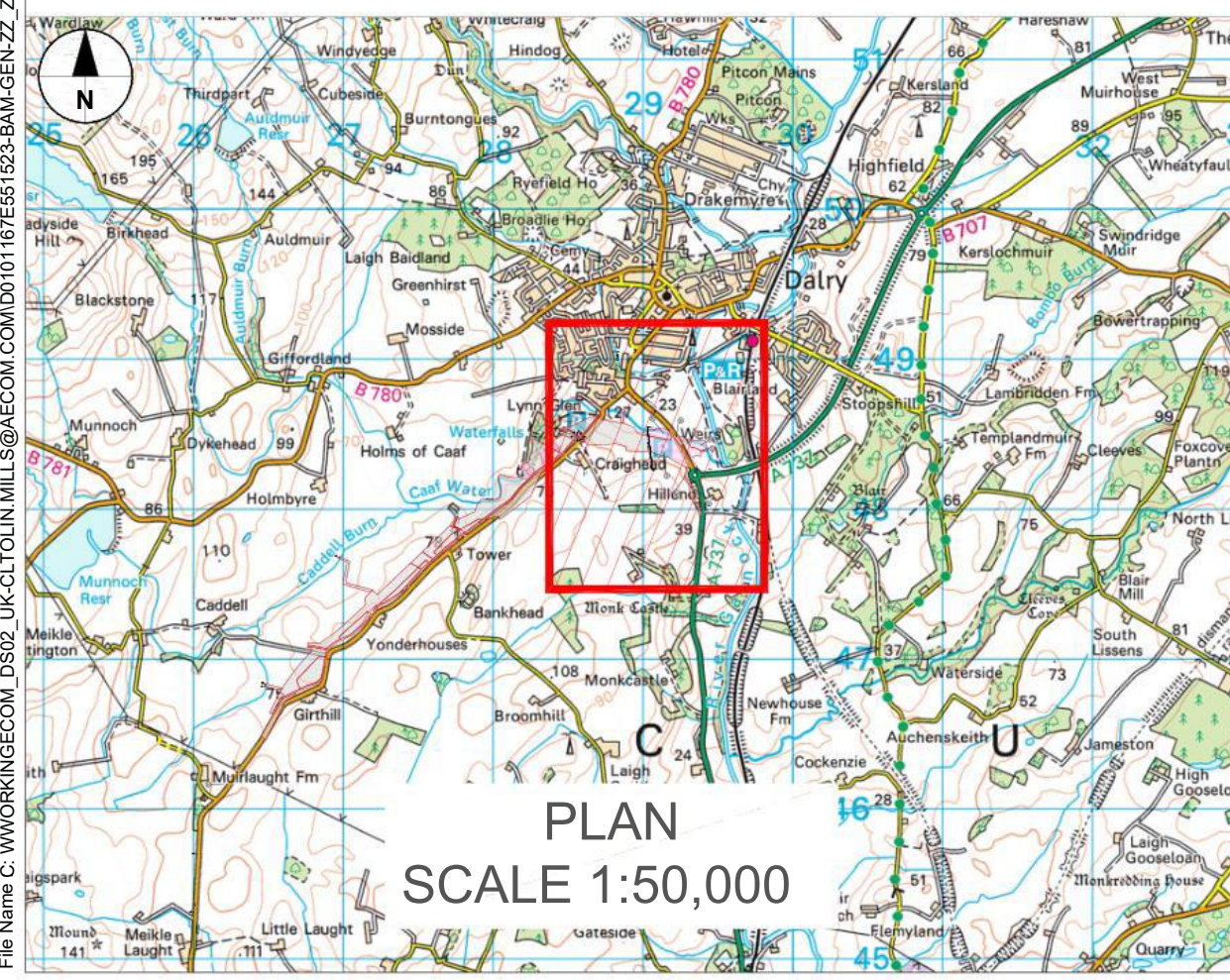
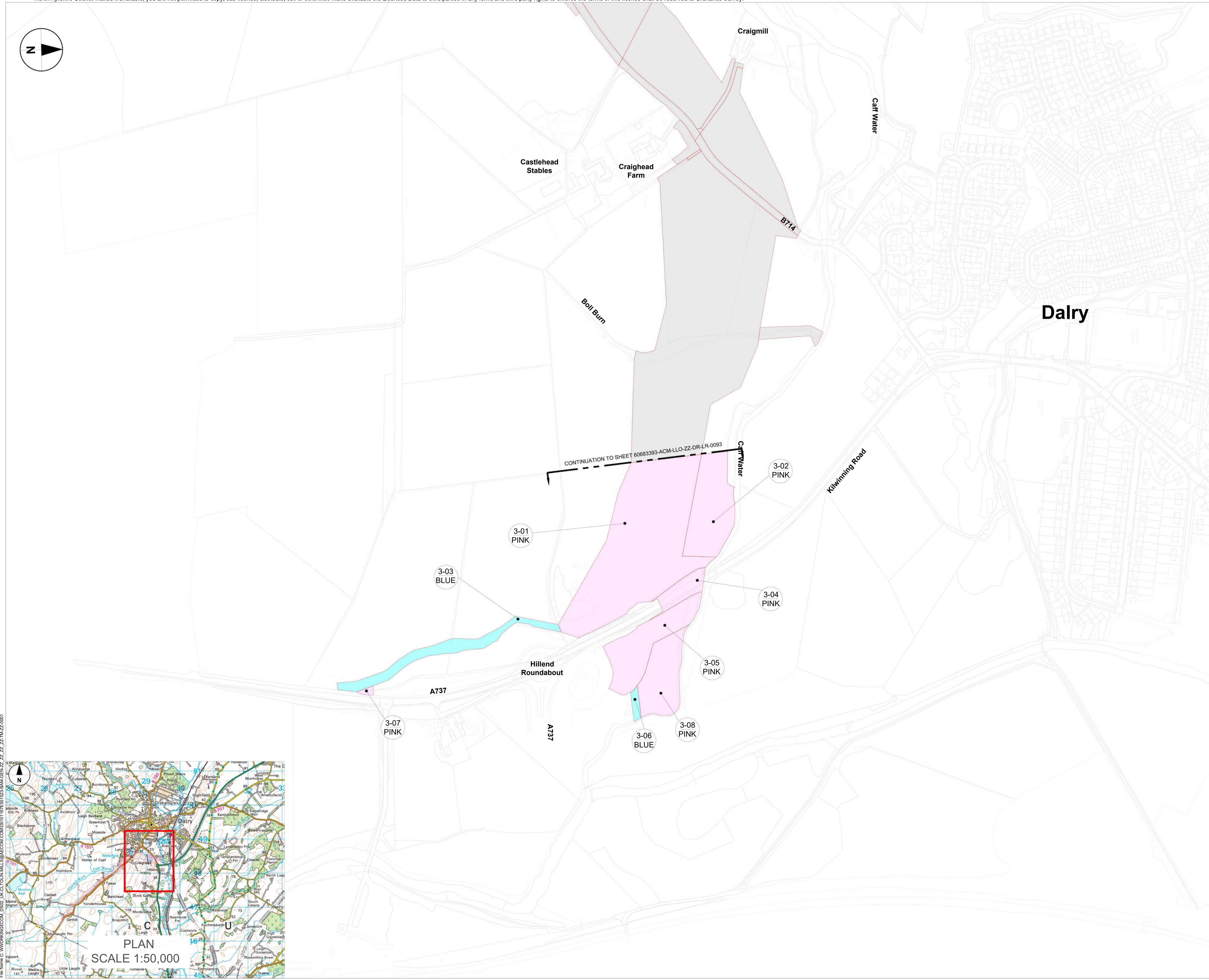
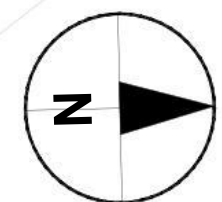
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Drawing Number	Project / Work Package	I Originator	I Volume	Rev
60683393	-ACM	-LLO	-	P03.1
ZZ	-DR-LR-0093			

Location I Type I Role I Number





PLAN  
SCALE 1:50,000

**SAFETY, HEALTH AND ENVIRONMENTAL INFORMATION BOX**

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5. PLOT ID'S HAVE BEEN ADDED ONLY FOR EASE OF REFERENCE BETWEEN PLOTS.
6. LAND OWNERSHIP INFORMATION BASED ON INDICATIVE PLANS OBTAINED FROM LAND REGISTRY.

**LEGEND**

● PLOT NUMBER

PINK LAND TO BE ACQUIRED

BLUE SERVITUDE RIGHT TO BE ACQUIRED

ISSUED TO NAC	MS	Date	Suffix
		01/09/23	P02
		01/09/23	P03.1

**REVISION DETAILS**

By	Check	Date	Suffix

Purpose of issue

**INITIAL STATUS OR WIP**

Client

Project Title

**B714 Upgrade**

Drawing Title

**COMPULSORY PURCHASE ORDER 1 PLANS SHEET 4 OF 4**

Designed	Drawn	Checked	Approved	Date

Internal Project No. 60683393  
Scale @ A1 1:2500

Suitability S0  
Volume Land Ownership Boundaries

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