



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, 13 September 2023** at **14:00** to consider the undernoted business.

Meeting Arrangements - Hybrid Meetings

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

1 Apologies

2 Declarations of Interest

Members are requested to give notice of any declarations of interest in respect of items of business on the Agenda.

3 Previous Minutes

The accuracy of the Minutes of the Meeting of the Council held on 21 June 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 12 June - 3 September 2023 (copy enclosed).

5 Leader's Report

Submit report by the Leader of the Council for the period covering 12 June - 3 September 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 9 June - 29 August 2023.

7 Community Planning Partnership(CPP) Board: Minutes of Meeting held on 22 June 2023

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

8 Congratulatory Motions

In terms of Standing Order 15.3, submit the undernoted motions, duly proposed and seconded, which seek 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:

“Council congratulates the Irvine Tennis Community on the forthcoming opening of their Tennis Courts on Thornhouse Avenue on Monday 11th 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.”

(2) a congratulatory 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; 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."

9 Presentation

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

10 Outside Body Appointments

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

11 Committee Timetable 2024

Submit report by the Chief Executive on a proposed timetable of meetings of the Council and its committees for the period from January - December 2024 (copy enclosed).

12 Revenue Estimates 2023/24 – Irvine Common Good Fund

Submit 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 (copy enclosed).

13 Ardrossan Harbour Update

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

14 Irvine Town Centre Working Group Update

Submit 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 (copy enclosed).

15 Questions

In terms of Standing Order 14, submit:-

(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 2023-24)?”

(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?"

(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?"

(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?"

(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?"

(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 1st 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?”

(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?”

(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?”

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

“On the 31st 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 schools and leisure facility?”

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

“Does the Cabinet Member think North Ayrshire is looking good and well maintained?”

(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?”

16 Motions

In terms of Standing Order 15, submit:-

(1) a motion by Councillor Gurney, seconded by Councillor Collier, in the following terms:

“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
- 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
- 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.”

(2) a motion by Councillor Sweeney, 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 13th 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.”

(3) 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.”

(4) a motion by Councillor Billings, seconded by Councillor S. Ferguson, in the following terms:

"It has been announced by the Scottish Minister for Transport that the planned procurement process for the Ardrossan Harbour redevelopment work is being delayed to review the business plan. This will result in further delaying the completion of the vital redevelopment work required on the harbour to 2027 or 2028. The Ardrossan Task Force was set up by the Scottish Government in 2017 to enable decision-making and scrutiny to be overseen by the Scottish Government. It is, therefore, impossible to understand what a further delay to the project will achieve.

North Ayrshire Council is disappointed and frustrated by this decision that will further exacerbate the uncertainty surrounding the Arran ferry route. Arran is already experiencing social and economic challenges due to the delays and uncertainty surrounding the Arran ferry route. Delaying the completion of this project will cause additional harm to Arran's already fragile communities.

North Ayrshire Council directs the Chief Executive to write to Fiona Hyslop, Scottish Minister for Transport, to express the Council's extreme disappointment and frustration caused by her decision, to highlight the social and economic difficulties that the continued uncertainty with the Arran ferry is causing, and to urge her to restart the Ardrossan Harbour redevelopment project without delay."

(5) 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 30th 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."

(6) 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, 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."

17 Urgent Items

Any other items which the Provost considers to be urgent.

Webcasting

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North Ayrshire Council Sederunt

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: