



**North Ayrshire Council**  
Comhairle Siorrachd Àir a Tuath

Meeting of the Council

Wednesday 1 November 2023

Responses to Questions



## Question

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

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

## Response

“Progress continues to be made on the feasibility study and subject to the outcome of the study, concept design works for the route will follow.

Work undertaken to date includes a route options appraisal, topographical survey and ecological appraisal to understand route constraints. This has identified that due to width constraints on the public road corridor, additional land would be required to enable the creation of an off-road route to national standards. Initial discussions have taken place with 7 of the 12 landowners and feedback has been largely positive.

Should landowner negotiations lead to a viable route alignment being identified, we will progress with concept design drawings identifying proposed alignments and options. Public engagement would commence at this stage to obtain views from Elected Members, the local community, stakeholders and other interested parties to inform the design process. The output from this would inform the development of updated concept design drawings. The current programme aims to complete the concept design work and initial engagement by April 2024.”

## Question

- (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?”

## Response

Councillor Larsen will respond.

## Question

- (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?”

## Response

“The works at Fort Street and the Pierhead form part of the Bus Stop and Queuing Facilities improvement project at Largs and on Cumbrae funded by SPT’s Capital Programme. Whilst carrying out the construction works in Largs an unrecorded stone culvert, that was silted up, was identified. This required to be reconstructed.

The works in Largs are largely complete, and officers are monitoring the performance of the reconstructed culvert over the winter months. The performance of this will determine the remaining extent of works required. If the culvert performs satisfactorily, it is anticipated that the remaining short length of footpath, drop kerb and re-erection of bollards will be completed in March 2024. If there are issues with the culvert, agreement will require to be obtained for an outfall on the beach. Timescales for the consent would determine timescales for completion. Officers are not currently aware of any issues with the culvert’s operation.

- a. The total project (Largs and Cumbrae elements) cost to date is £230,700 (from 2019 to present). The construction costs at Largs are £73,723 to date with an additional expenditure of £35,049 for the culvert replacement works. The balance of £121,928 has been spent on the following for both the Largs and Cumbrae works: initial option development, traffic surveys, topographical surveys, consultation on feasibility designs, project management, detailed design, detailed design consultation, amendments informed by stakeholder consultation.
- b. The projected final total cost is approximately £240,000 which is inclusive of the design and feasibility costs for the Cumbrae improvements.
- c. Cabinet member to answer.
- d. The footway outside Costa required to be widened to improve access for pedestrians to and from the ferry terminal. This required the removal of the coach

- drop off point due to the limited space available. The removal of this was proposed through the consultation process which informed the final design.
- e. The service bus stops are suitable and available for use for drop off and pick up of passengers by coaches, as is the case for other bus services. Officers are not advising coaches to park in the bus stops. Officers will support bus operators to help identify an appropriate area to park when not actively picking up and dropping off passengers.
  - f. It is anticipated that the bollards will be replaced when works are complete currently programmed for March 2024.”

### **Question**

- (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?”

### **Response**

Councillor Burns will respond.

### **Question**

- (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?”

### **Response**

Councillor Larsen will respond.

## Question

(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?”

## Response

“Various Remembrance Sunday Parades and Service will take place in our local communities throughout North Ayrshire. The majority of the events are arranged by the local branches of the Royal British Legion Scotland and in some cases the local churches. I will attend the Remembrance Day Parade and Service in Irvine and the Depute Provost will attend Services in Saltcoats and Stevenston.

On Armistice Day on 11 November a short service will take place in the Memorial Garden, Burns Street, Irvine where a two-minute silence will be observed at 11am. All Elected Members have been invited. A two-minute silence will also be observed in Council offices.

Wreaths are available to Elected Members who may wish to lay a wreath at a Remembrance Sunday service taking place in their ward, one wreath will be available for each event.”

## Question

(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”?”

## Response

Councillor Burns will respond.

## Question

(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?”

## Response

“Emails to Members are routed by the email system direct to them as the intended recipient. Employees in Members’ Services have access to those emails granted by individual Members to enable those employees to assist them for administrative purposes only. Should Members wish to restrict this access to their individual inboxes, they can do so. Employees in Members’ Services do not divulge the content of Members’ emails to officers and act on the instructions of the Member concerned in relation to mailbox management. Other than that, there is no policy or practice in place to intercept or divert Members’ emails. Whilst there is technical capability for IT Services to access email across all email inboxes in the Council this is not and will not be used by the organisation unless there is a regulatory or legal requirement to do so.”

## Question

(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?”

## Response

Councillor Macaulay will respond.

## Question

(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?”

## Response

“North Ayrshire Council provides policies and procedures to support schools with a range of operational and strategic matters relating to the provision of education. In terms of how schools manage the use of mobile phones, a Standard Circular has been produced which advises that schools should develop their own policy on pupil use of mobile devices taking account of some key principles, including:

- The use of mobile phones in class time is unacceptable.
- Possession of a mobile phone during a prelim or other examination should be prohibited.
- Taking photographs of staff or pupils without consent should be prohibited.
- All emergency contact between home and school should be through the school office rather than by mobile phone.
- As with all valuable items of equipment, parents should be made aware that no liability can be accepted for loss of or damage to mobile phones which are brought to school.
- The school policy should be drafted in consultation with parents, pupils, staff and the Parent Council.
- Head Teachers may wish to include specific reference to mobile phone use in school handbooks and behaviour policies.
- Head Teachers should use staff handbooks to remind all staff of GTC Scotland guidance that staff should not use texting, at any time, to communicate with individual pupils.

These guidelines are intended to offer Head Teachers consistent guidance whilst also allowing sufficient flexibility to tailor their policies to local circumstances.

It is recognised that mobile devices (including tablets and the current trial of “bring your own device”) can enhance the learning experience, provided that clear protocols around their use are in place. It is anticipated that the next update to the Standard Circular will include specific principles around the managed use of mobile devices in a curricular context, as this technology is rolled out and extended into various schools across the Education Service.”



## Question

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

“To ask for a total of the Council’s usable reserves?”

## Response

The Council’s usable reserves total £136.741m. They include the Council’s unearmarked reserves of £8.053m, with the remaining balance specifically earmarked for a range of purposes, including the Housing Revenue Account reserves to support the HRA Business Plan and the loans fund reserve to support delivery of the capital programme.

## Question

(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?”

## Response

Councillor Burns will respond.

## Question

(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?”

## Response

Councillor Burns will respond.

## Question

(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?”

## Response

There are currently a high number of Blue Badge applications and renewals which the team are processing, with the average time from application to issue being around 12 weeks. There are nearly 10,000 existing Blue Badge holders in North Ayrshire and around 1,400 applications and renewals are in process. It is recommended that Blue Badge holders apply for their renewal 12 weeks before their current badge is due to expire. Transport Scotland set the timescale for applications to be processed within 12 weeks, and currently in North Ayrshire the HSCP are meeting this timescale. There has been an increase in the number of Blue Badge applications over the last few years and changes to the online application form and process have added to the workload of the team.

There are different criteria for eligibility for a Blue Badge, for example there is an automatic entitlement for individuals in receipt of specific benefits, whereas discretionary applications require a far greater degree of assessment input including for example Independent Mobility Assessments.

A number of steps have been taken forward by the HSCP to improve the current process and to raise awareness of the 12-week timescale for renewal, including:

- Clear communication for all renewal and first-time applicants with a letter issued on application
- Raising awareness on social media and other communication channels including the HSCP website

The service continues to explore other options including the issue of automated renewal reminders and any additional resources which may be required to ensure the 12-week processing timescale can be met.”

## Question

(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?”

## Response

“The 2023/24 pay settlement has yet to be agreed. No notification of future industrial action has been received to date.”

## Question

(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?”

## Response

Councillor Larsen will respond.

## Question

(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?”

## Response

“There has been no spend with this local supplier since the time they have been on the Scotland Excel framework. The reason there has been no spend is simply due to there being no current demand for these particular products. I can advise awareness raising campaigns have very recently been undertaken to promote the use of these products. Moving forward if there is a change in demand then orders will be placed using this framework which includes this local supplier.”

## Question

(18) a question by Councillor Inglis to the Cabinet Member for the 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?”

## Response

“Whilst the vast majority of residents and visitors behave responsibly, it is disappointing that a minority still engage in poor behaviour in terms of littering and environmental crime. Cleaning up discarded litter in streets and open space areas is a significant cost to the Council and is entirely preventable.

The Council has a Litter, Dog Fouling and Fly Tipping Prevention Strategy which focuses on Educating (communications, campaigns), Enabling (provision of bins) and Enforcement (the issuing of Fixed Penalty Notices to offenders). The strategy is being reviewed and an updated strategy will be published in late spring 2024. The Council is engaging with Keep Scotland Beautiful (KSB) to help facilitate workshop sessions with elected members and communities as part of this review. This will cover the implications of the new national Litter and Fly Tipping Strategy and also take account of emerging issues and themes such as littering from single use vapes.

In respect of the street cleanliness index score it is disappointing that the Council has not performed as well as in previous years. Since the audit was conducted a number of improvements have been implemented such as a review of the street cleaning schedules to identify littering hotspots and to respond to different demands post COVID, an increase in the number of internal street cleaning audits to locally monitor cleanliness, and the targeting of enforcement activities to identified littering hotspots. New larger capacity, gull proof bins are also being installed at busy coastal locations. We are also supported by a significant number of community volunteer groups who regularly carry out litter picks in their localities – and this support is very much appreciated.

The most recent audit for 2023/24 produced a score of 90.1% which is a significant increase from the 2022/23 score of 84.6% which indicates a positive direction of travel as we continue to tackle the blight of irresponsible littering.”

## Question

(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?”

## Response

“Local Authority placements to Older People’s Care homes are funded from the HSCP budget. The weekly rate paid for a care home placement is agreed nationally as part of the National Care Home Contract (NCHC) which has been in place for the last 15 years. This contract is facilitated by Scotland Excel on behalf of Local Authorities and is negotiated annually between provider representatives and COSLA.

In North Ayrshire all placements are funded in line with the NCHC agreed rates for residential and nursing care. Whilst provider representatives, including for example Scottish Care, have publicly communicated their concerns over the adequacy of funding and viability of the care home sector, it is also mutually accepted that the NCHC provides stability for care homes and commissioners.

It is the role of the Care Inspectorate as the regulatory body to assess and provide assurance over the quality of care for all registered care services. In North Ayrshire we work closely with the Care Inspectorate and other services to ensure we can support our care providers to provide a good quality of care. The position is closely and robustly monitored, the HSCP has Multidisciplinary Care Home Oversight arrangements in place, which were established over 3 years ago. The Care Home Oversight Group meets regularly, this allows the Partnership and other colleagues to maintain an enhanced level of support and oversight to Care Homes, ultimately seeking assurance of the quality of care provided. This provides a forum for escalation of any quality of care, safety and sustainability concerns, including financial concerns which may be highlighted by care home providers directly.

The Partnership facilitates regular Care Home Provider Forums and regular formal Contractual Meetings take place with individual providers, these include finance representatives. Whilst focussed on quality and standards of care being provided to residents, the meetings have allowed for the development of good working relationships between the Care Home Providers and the Partnership’s Teams. Providers can raise any issues or concerns they may have at the earliest opportunity which allows the Partnership to respond appropriately.”