



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.

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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: