

North Ayrshire Council
16 December 2020

At a Meeting of North Ayrshire Council at 2.05 p.m. involving participation by remote electronic means.

Present

Ian Clarkson, Robert Barr, John Bell, Timothy Billings, Joy Brahim, Marie Burns, Joe Cullinane, Scott Davidson, Anthea Dickson, John Easdale, Todd Ferguson, Robert Foster, Scott Gallacher, Alex Gallagher, Margaret George, John Glover, Tony Gurney, Alan Hill, Christina Larsen, Shaun Macaulay, Tom Marshall, Jean McClung, Ellen McMaster, Ronnie McNicol, Louise McPhater, Davina McTiernan, Jimmy Miller, Jim Montgomerie, Ian Murdoch, Donald Reid, Donald L. Reid, John Sweeney and Angela Stephen.

In Attendance

C. Hatton, Chief Executive; R. McCutcheon, Executive Director and J. Cameron, Senior Manager (Housing Strategy and Customer Service) (Place); A. Sutton, Interim Executive Director (Communities); K. Yeomans, Director (Growth and Investment); A. Sutherland, Head of Service (Children, Families and Criminal Justice) (Health and Social Care Partnership); and M. Boyd Head of Finance, A. Fraser, Head of Democratic Services, F. Walker, Head of People and ICT, A. Craig, Senior Manager (Legal Services), M. McColm, Senior Manager (Communications), E. Gray and D. McCaw, Committee Services Officers and M. Anderson, Senior Manager (Committee and Member Services) (Chief Executive's Service).

Also In Attendance

Duncan Cox, Interim Head of Dosimetry Services Department and CRCE Business Continuity Lead and Antony Bexon, Head of Radiation Assessments Department (Public Health England - Centre for Radiation, Chemical and Environmental Hazards); and J. McGeorge, Coordinator (Ayrshire Civil Contingencies Team).

Chair

Provost Clarkson in the Chair.

1. Provost's Remarks

The Provost welcomed Members and officers to the meeting, which was proceeding with Members in attendance on a wholly remote basis by electronic means. A particular welcome was extended to Duncan Cox, Antony Bexon and Jane McGeorge, who were in attendance in connection with Agenda Item 8 (Determination of the Detailed Emergency Planning Zone (DEPZ) for Hunterston A and B Nuclear Power Stations).

The Provost dealt with preliminary matters, including an announcement that the meeting would be live streamed.

The Provost also intimated that an urgent item, in the form of a motion by Councillor Foster, would be considered at the end of the meeting and invited the Head of Democratic Services to address the meeting on the terms of the motion.

2. Apologies

The Provost invited intimation of apologies for absence. There were none.

Given the virtual nature of the meeting, the Provost then invited the Clerk to read the sederunt.

Councillor McNicol lost his electronic connection and effectively left the meeting at this point.

3. Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Councillors' Code of Conduct, the following Members declared an indirect pecuniary interest in Agenda Item 13(1) (Motion) as a result of having a family member(s) who was an employee of North Ayrshire Council:

Councillors Hill, McClung, McMaster, McPhater, Montgomerie, Murdoch, D.L. Reid and Sweeney.

The above Members intimated that, as the nature of their interest was remote/insignificant, they intended to remain and participate in the determination of this item.

There were no declarations of the Party Whip.

4. Previous Minutes

The accuracy of the Minutes of the Meeting held on 11 November 2020 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 2 November – 6 December 2020.

The Provost highlighted the following elements of his written report:

- Remembrance Sunday events on 8 November 2020, including the laying of a wreath and participation in a 'doorstep' two-minute silence;
- the launch of the Christmas Gift Appeal on 19 November 2020; and
- Irvine Burns Club's monthly social event and Irvine Lassies Burns Club St. Andrew's Night celebrations, both of which took place virtually

The Provost then made reference to the case of a Three Towns resident who had found himself destitute in the Philippines, and to the extraordinary demonstration of community spirit and kindness which had helped to bring him home. The Provost invited Councillor Montgomerie, who had played an integral part in this, to speak.

Councillor Montgomerie addressed the meeting on the circumstances surrounding the resident's return and extended thanks to everyone within the Council who had provided assistance and advice, particularly the Chief Executive, Executive Director (Place), Head of Democratic Services, Interim Head of Service (Commercial) (Place) and Senior Manager (Homeless and Community Safety (Place)).

The Provost concluded his report by extending his best wishes to all for a happy and safe Christmas and a better New Year.

Noted.

6. Leader's Report

Submitted report by the Leader of the Council for the period from 2 November – 6 December 2020.

The Leader highlighted the significant milestone reached in terms of the signing of the Ayrshire Growth Deal. Councillor Cullinane recorded his thanks to all of the officers involved in reaching this point and looked forward to progress on the individual Growth Deal projects in the coming year.

The Leader also made reference to continued progress in relation to the Community Wealth Building Strategy, including the recruitment of staff, involvement in a number of events and participation in local and national meetings. Councillor Cullinane referred in particular to a productive meeting which had taken place with representatives of Strathclyde Pension Fund.

Noted.

7. Council Minute Volume

Submitted for noting, the Minutes of meetings of committees of the Council held in the period 4 September – 2 December 2020.

Noted.

8. Annual Review of Governance Documentation

Submitted report by the Chief Executive on the key Governance documentation regulating the operation of Council, its committees and officers.

Members asked questions, and received clarification, on the following in terms of proposals relating to Standing Orders:

- the intention to preclude a two-minute preamble for supplementary questions; and
- whether consideration had been given to including broader provision for emergencies beyond those relating to a public health matter

Councillor Barr, seconded by Councillor Glover, moved that the Council approve the recommendations set out in the officer's report.

As an amendment, Councillor Dickson, seconded by Councillor Burns, moved that the Council approve the recommendations set out in the officer's report, subject to deletion of the proposed provision within Standing Orders intended to clarify that no additional two-minute preamble should be permitted for a supplementary question.

There then followed debate and summing up.

On a division and a roll call vote, there voted for the amendment, Councillors Brahim, Burns, Cullinane, Davidson, Dickson, Foster, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McNicol, McPhater, McTiernan, Montgomerie, Murdoch, Donald L. Reid and Sweeney (19) and for the motion, Councillors Barr, Bell, Billings, Clarkson, Easdale, Ferguson, Gallacher, Gallagher, George, Glover, Marshall, Miller, Donald Reid and Stephen (14), and the amendment was declared carried.

Accordingly, the Council, having reviewed the Governance documentation, agreed to approve with effect from 1 January 2021 the revised versions of:

- (i) the Standing Orders for Meetings and Proceedings of the Council attached at Appendix 1 to the report, subject to deletion of the final sentence of Standing Order 2.4 which proposed removal of any provision for a two-minute preamble for a supplementary question;
- (ii) the Scheme of Administration attached at Appendix 2 to the report;
- (iii) the Scheme of Delegation to Officers attached at Appendix 3 to the report (the delegation to the Head of Democratic Services contained at para 53(d) on page 19 of the Scheme of Delegation to come into effect immediately); and
- (iv) the Financial Regulations attached at Appendix 4 to the report.

Councillor McNicol re-joined the meeting during consideration of this item. Councillor Stephen temporarily lost her electronic connection to the meeting during consideration of this item. The Head of Democratic Services confirmed that the Members in question were not precluded from participating in the determination of this item.

9. Determination of the Detailed Emergency Planning Zone (DEPZ) for Hunterston A and B Nuclear Power Station

Submitted report by the Head of Democratic Services on the extent of the Detailed Emergency Planning Zone (DEPZ) for Hunterston B Nuclear Power Station, under the Radiation (Emergency Preparedness and Public Information) Regulations 2019 (REPPPIR).

On 18 May 2020, the Chief Executive agreed under Emergency Governance arrangements (a) to determine that the boundary of the DEPZ for Hunterston B should be 2.4km to maintain the current status-quo in practice; (b) that this boundary should be fully reviewed at the first Council meeting after 1 December 2020; and (c) to determine the DEPZ for Hunterston A at 0k.

The Head of Democratic Services presented the report. The Provost invited Duncan Cox and Antony Bexon of Public Health England to provide some additional technical information.

Members then asked questions, and received clarification from the Head of Democratic Services, the representatives of Public Health England and the Ayrshire Civil Contingencies Team representative, in respect of the following:

- the duration of the current DEPZ given that Hunterston B would soon cease production;
- the usual review period for the DEPZ and opportunities for earlier review in the event of a material change of circumstance;
- the difference between the regulatory arrangements in place within the UK compared with France and elsewhere;
- the relevance of any potential impact on house prices arising from an area's inclusion within the DEPZ;
- the need for ongoing safety measures at Hunterston B once it had ceased production;
- the provision, use and effectiveness of stable iodine tablets, as well as pre-distribution arrangements;
- actions which might be taken with regard to road traffic within the DEPZ at the time of any incident;
- the rationale for seeking to apply broadly the same DEPZ provision across the whole country, notwithstanding locally relevant factors such as geography or roads infrastructure;
- off-site contingency planning arrangements with regard to the adjacent village of Fairlie and surrounding areas, including Cumbernauld;
- the effectiveness of contingency planning arrangements and factors which might impact on the effective distribution of stable iodine, including adverse weather and the current Covid-19 pandemic; and
- the extent, and limitations, of the Council's powers with regard to setting the DEPZ

In terms of Standing Order 5.7, the Provost agreed that the meeting be adjourned at 3.25 p.m. for a comfort break. The meeting reconvened at 3.35 p.m. with the same Members and officers present and in attendance.

Members then asked further questions, and received clarification, in respect of the following:

- any impact on neighbouring Councils of seeking to extend the DEPZ significantly beyond the radius recommended;
- the arrangements in place with regard to the distribution of stable iodine to areas outwith the DEPZ; and
- the effectiveness of stable iodine in general and their use by different age profiles and those with particular medical conditions

The Chief Executive then provided Members with further information and reassurance on the emergency planning arrangements in place, the significant scrutiny to which arrangements were subjected, and the degree to which plans were rehearsed.

Councillor Cullinane, seconded by Councillor Bell, moved that the Council approve the recommendations set out in the officer's report.

As an amendment, Councillor Murdoch, seconded by Councillor Hill, sought to move that the Council agree to increase the DEPZ around Hunterston to 20km; take note that those living within 20km of a nuclear power station within France have the option of having stable iodine within their homes; and provide the same option to residents in North Ayrshire living within 20km of Hunterston.

The Head of Democratic Services advised the Provost that, in terms of Standing Order 13.5, as the amendment was likely to give rise to a contravention by the Council of an enactment or rule of law, it should not be accepted. In terms of Standing Order 14.5, Councillor Murdoch, with the agreement of his seconder, agreed to withdraw his amendment.

As a further amendment Councillor Billings, seconded by Councillor Burns, moved as follows:

“That the Council accept the proposals in the report, but further ask the Council to raise the concerns made during this discussion with the relevant bodies involved, and to gather and make public advice and information about the organisation of protective measures for those who live in the Outer Protective Zone, so that people have confidence that appropriate measures are in place.”

In terms of Standing Order 14.5, Councillor Cullinane, with the agreement of his seconder, agreed to withdraw his motion in favour of Councillor Billings' amendment. This became the substantive motion.

There being no further amendments, the substantive motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to retain the status quo that the boundary of the DEPZ for Hunterston B should include all properties currently within the DEPZ, as shown delineated in black on the plan at Appendix 3 attached to this report; and
- (b) that officers (i) raise the concerns made during discussion of this item with the relevant bodies involved and (ii) gather and make public advice and information about the organisation of protective measures for those who live in the Outer Protective Zone, so that people have confidence that appropriate measures are in place.

Representatives of Public Health England and Ayrshire Civil Contingency Team left the meeting at this point.

10. Long-Term Financial Outlook 2021/22 to 2030/31 and Medium-Term Financial Outlook 2021/22 to 2023/24

Submitted report by the Head of Service (Finance) on the financial challenges facing the Council over the next 10 years and examining the likely financial position of the Council's General Fund in the medium term, in order to inform the development of budget proposals.

Members asked questions and received clarification in respect of:

- the viability of local government over the next 10 years, given the funding gap reported last year and the predicted funding gap now reported; and
- whether any discussion had taken place nationally with regard to the implementation of an alternative to the Council Tax

Councillor Cullinane, seconded by Councillor Bell, moved that the Council approve the recommendations set out in the officer's report. There being no amendments, the motion was declared carried.

Accordingly, the Council, having considered the Long-Term Financial Outlook 2021/22 to 2030/31 and the financial challenges identified in the Medium-Term Financial Outlook 2021/22 to 2023/24, agreed as follows:

- (a) to note the scale of the financial challenges which the Council faced over the medium and longer terms; and
- (b) that officers bring forward proposals to a future meeting of the Council to set a balanced budget for 2021/22 and beyond.

11. Housing Revenue Account (HRA) Capital Investment Programme, Revenue Budget and Rent Levels for 2021/22

Submitted report by the Executive Director (Place) on the proposed HRA capital investment programme and revenue budget for 2021/22 and the consequential rent levels.

The Leader of the Council and Leader of the Opposition, together with other Members, expressed their appreciation of the work of officers in bringing significant levels of investment to communities while successfully minimising the recommended rent increase.

Councillor Cullinane, seconded by Councillor Bell, moved that the Council approve the recommendations set out in the officer's report. There being no amendment, the motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to approve the HRA capital investment programme for 2021/22, as detailed in Appendix 1 to the report;
- (b) to approve the HRA revenue budget for 2021/22, as detailed in Appendix 2 to the report;
- (c) approve a rent increase of 1.90% in 2021/22 for council houses, garage sites, lock-ups and sheltered housing service charges; and
- (d) to note the indicative rent increases of 2.50% for 2022/23 and 2.50% for 2023/24.

12. Events Support for Community Organisations

Submitted report by the Interim Executive Director (Communities) on support for community events.

At a meeting of the Council on 19 September 2018, a motion was approved instructing officers to establish a short-term Member/Officer working group to investigate the support provided to community groups, clubs and societies organising events across North Ayrshire and the challenges that they faced. The Community Events Support Working Group was subsequently established and worked with the Council's Transformation Team, IT and key stakeholders.

Members asked questions, and received clarification, in respect of the following:

- whether there might be any scope to support individual community events to form a co-ordinated string of events across North Ayrshire; and

- the timescale for recruitment of the temporary post referred to within the report and arrangements for raising awareness of the new resource among community groups;

Members recorded their appreciation of the support provided to local groups and the work carried out to seek to streamline and co-ordinate processes.

Councillor Cullinane, seconded by Councillor Bell, moved that the Council approve the recommendations set out in the officer's report. There being no amendments, the motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to note the progress made by the Community Events Support Working Group; and
- (b) authorise officers to continue to implement the Community Events Support Working Group's project plan.

13. Questions

In terms of Standing Order 12, submitted:

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

"The SNP conference recently passed a motion in favour of a four-day week, which would cost Scotland's public services at least £2.5 billion in the middle of a pandemic. What would it cost North Ayrshire to enact this plan without cutting salaries or services if not funded in full by the Scottish Government and what percentage would the Council Tax need to be increased to fund this?"

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

"Councils are complex organisations, with thousands of employees working across different departments, with a mix of frontline and office-based staff and therefore there will be many different models that could apply to a four-day working week. In the absence of any detail on any proposed model, we can only make assumptions on what a model may entail. If any member wanted to ask officers to estimate costs for any one model, they would be more than happy to undertake such calculations on their behalf.

I should make Council aware, in the interests of openness and transparency, that in recent months, the Four Day Week campaign had requested meetings with myself and officers to discuss their campaign and test the Council's appetite for working on a pilot scheme. The think tank Autonomy were represented on those meetings. It is the case that whilst we recognise the potential benefits of a four-day working week in areas such as a better work-life balance, there are no proposals at this time to run a pilot nor have we asked officers to calculate the costs of a pilot. The complexity of the Council, as referred to earlier, means that any pilot would likely require different models across the workforce and there would be a requirement to recruit additional staff to deliver frontline services which we could not fund from our ever-reducing budget. We are however keen to learn any lessons should any council in the UK participate in a pilot and would volunteer to take part in a pilot should the Scottish Government decide to fund one.

At this present time, our focus remains on our Renewal approach from Covid, including the workstream on new ways of working. The trade unions are engaged as part of that work."

(2) a question by Councillor Murdoch to the Chair of Planning in the following terms:

"Does the Chair of Planning think that his constituents, our constituents, constituents in general in the North Coast and across North Ayrshire deserve the right to be represented by their Local Councillor at Planning Meetings?"

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

"The short answer is 'No'.

Councillor Murdoch refers to representing constituents at the Planning Committee. His question misunderstands the role of the Planning Committee and appears to propose that lobbying by individual councillors on behalf of either applicants or objectors, should be prioritised over other submissions received by the Planning Committee.

The starting point is that the determination of planning applications is a quasi-judicial process. In determining applications, the Committee are legally bound to apply a two-stage objective test:

- Does the application comply with the Local Development Plan (LDP)? If so, there is a presumption it should be granted unless there are material planning considerations which outweigh the LDP. If not, it should be refused unless outweighed by material planning considerations. Material planning considerations are those which relate to the use of the development site for the proposed use- no more, no less.
- What are the material planning considerations and do they outweigh the LDP?

The integrity of the planning process, and the trust which developers, objectors and communities have in it, depends on proper and transparent processes being followed. To support transparency, all submissions are published on the Planning website. Thereafter the planning report summarises all objections and representations, and considers the weight to be applied to each, prior to the determination of the application.

If local Members become involved in acting for, or lobbying on behalf of individual applicants or objectors, this can give rise to concern that undue influence is being applied behind closed doors, outwith the normal planning process. For that reason, the Councillors' Code of Conduct, prohibits Members from lobbying Members of the Planning Committee about applications.

The weight which the Planning Committee or officers give to the LDP and other material planning considerations, depends on the strength and relevance of that issue, not who is making an objection or representation. An individual objection or representation supported by a councillor cannot be given any more weight because a councillor is involved. To do so would be a disservice to all others who have chosen to submit objections and representations. Nor would it be fair to the other side. In other words, councillors need to be treated the same as anyone else and not given any priority

If any objectors including Councillors request to address the Planning Committee, they must frame their request in terms of the "*Guidance for Individuals Wishing To Address a Meeting of the Planning Committee*" as set out in the Guidance Notice on the Council's Website at <https://north-ayrshire.cmis.uk.com/north-ayrshire/Document>

As defined in Section 3 of the "Guidance" the objectors may decide up to a maximum of 3 people, who will speak, and will be limited to a maximum period of 10 minutes in total to present their case.

The applicants will then be invited to respond to the issues raised by the objectors in their presentation. The applicants will also be limited to a maximum of 3 people, who will be limited to 10 minutes in total to respond.

It is important that, given the Planning Committee is a *quasi judicial* body, both the applicants and the objectors get a fair and balanced hearing. It is also important that any Member who wishes to make representations on planning applications is aware of the rules and tests which the Council as Planning Authority has to legally follow."

As a supplementary question, Councillor Murdoch asked whether the Chair of Planning would consider allowing additional time to allow everyone wishing to address the Planning Committee when it considered the Righill planning application to do so.

Councillor Marshall responded by advising that it would be impractical to allow all interested parties to speak, given that the application in question had more than 100 objections. He reiterated that there were specific rules in place with regard to arrangements for addressing a meeting of the Planning Committee and that, as Chair, he was happy to groups of individuals to speak as long as it was within the context of those rules.

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

"Does the Leader of the Council think that there is an appropriate investment proposal from the Ayrshire Growth Deal in the established and recognised tourist destinations around North Ayrshire and can the Leader please state how much of the Ayrshire Growth Deal will be invested in tourism and improving the visitor experience on the Isle of Arran, Isle of Cumbrae and Largs areas?"

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

"The Ayrshire Growth Deal commits a total of £251m to an agreed portfolio of projects across Ayrshire. It is important to recognise that the Deal is based on the achievement of an inclusive economy for Ayrshire with a clear focus on addressing the issues of innovation and productivity, and inequality across the regional economy. AGD funding is granted for projects which are longer term game-changers. To attract UK and Scottish Government funding, proposals had to meet their strategic priorities

While marine tourism did not satisfy the criteria for UK Government funding, the Council successfully made the case for its inclusion in the Growth Deal, with funding of £18.5 million by Scottish Government, and a further £5 million from North Ayrshire Council.

The investments provide a geographical spread of investment, including at key locations around North Ayrshire's coast and our islands, that will provide the leverage and capacity to capitalise on our greatest natural asset within the region and its anticipated they will bring additional partner investment as well as secondary and commercial investments. The design of the projects at programme and project level is intended to take a community wealth building approach to providing skills development opportunities, sustainable employment opportunities and opportunities for businesses and communities to participate in and own the wider opportunities arising through investment, while seeking to anchor key stakeholders to the region.

In relation to the Arran and Cumbraes element of this, projects are:

A Cumbrae Transit Marina & Step Ashore Facility located in Millport Bay which will create a breakwater and transit/local berthing, coordinated with the flood defence works planned for Millport.

An Arran Transit Marina & Step Ashore Facility will be located in Brodick Bay or Lamlash Bay subject to final design studies and agreement with community sponsors.

It is important to recognise that the marine infrastructure proposed for Ardrossan, Arran and Cumbraes will not solely benefit these communities. Such enhanced facilities will increase the attractiveness of the Clyde as a sailing destination, leading to greater footfall along the entire coast, including Largs.

The member will also be aware that other AGD projects include £18million of investment in the centre for research into low carbon energy and the circular economy at Hunterston.”

As a supplementary question, Councillor Murdoch asked whether the Leader agreed with him that it would be better to invest more in the established destinations for tourism throughout North Ayrshire, where the tourists actually wanted to go.

Councillor Cullinane responded by suggesting that it would have been beneficial had the Member asked his question when elected in 2017 and not a month after the Ayrshire Growth Deal was signed. The Leader disagreed with any assertion that investments contained in the AGD related to places tourists would not wish to visit, citing Irvine Harbourside as an attractive destination. He asserted that investment into the Ayrshire economy benefitted all and urged the Member not to consider the matter through the lens of his own locality.

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

“I am sure that most, if not all, of my Councillor colleagues will have been contacted by business people at their wits end because they are falling through the gaps in Scotland's Covid financial support system. The initial Covid support structures were put in place in a hurry so that money could get out to support businesses and jobs, and there have been tweaks to the systems over the months. However, there are still significant numbers of businesses that are getting either no support or totally inadequate support. Without some prompt action these businesses will fail, taking with them the jobs and livelihoods of all involved.

There is a light at the end of the tunnel with the vaccines which the UK has already committed to and are now starting to come on stream. But for many businesses, such as coach operators, restaurants, and hotels - in fact any business that normally has people close to one another, it will be many months if not years of trying to keep going with hugely reduced capacity.

We need to ensure that the fabric of our society remains intact during the Covid crisis so that jobs and livelihoods can be saved.

Last week the Fraser of Allander Institute estimated that the Scottish government is still sitting on-around £1billion of Covid support money from the UK Government, which would indicate that it has the wherewithal to provide further help.

So my question is could you tell us what opportunities is the Council taking in its dealings with the Scottish government to highlight the harm being done to jobs and livelihoods by the failings of the current Covid business support system, and how can the Council encourage the Scottish government to undertake a full review of the support system to ensure that money is being directed to where it is needed both now and into the future?"

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

"Whilst no place has been immune to the economic impact of Covid-19, it is clear that regions that were already fragile will need specific and enhanced support to recover and renew. That is why the Council has taken a proactive approach to outlining the support required to ensure an inclusive and green recovery in North Ayrshire.

Our Economic Recovery and Renewal Approach published in September outlined a series of asks to the Scottish and UK Governments to support North Ayrshire's recovery given our fragile economy and the stark levels of regional inequality in Scotland. We included most of these asks in our submission to the Scottish Government's Advisory Group on Economic Recovery and a Scottish Parliament inquiry into economic recovery as well as evidence on the impact on the local business base and the labour market.

Throughout the duration of the pandemic we have worked in partnership with COSLA, SOLACE and SLAED to influence the development of business support grants with Scottish Government. We have long argued for the need for discretionary business grants to support local priorities and those most in need. A Local Authority Discretionary Fund of £30 million was announced on the 17 November , however we still await the details of any criteria or restrictions on its allocation and payment and COSLA Leaders have unanimously agreed that £30million is not enough with COSLA continuing to lobby Scottish Government for additional funding to support the many businesses impacted by the pandemic.

There have been a number of business support programmes throughout the pandemic, all of which have been implemented in a short space of time, with the Council playing a leading role in administering business grants with over £25million disbursed to local businesses since March.

Our islands have been uniquely impacted by Covid-19, that is why we commissioned the Fraser of Allander Institute to look at the specific impact of Covid-19 on the Arran Economy, and why the Council Leader wrote to the Scottish Government in June to seek financial interventions to support island businesses and the creation of a bespoke Island Fund aligned to Community Wealth Building.

It is important that the Scottish Government also supports the future resilience of the North Ayrshire economy and therefore the Council has written to the Scottish Government to ask for a Ministerial Taskforce focused on Hunterston given that the Hunterston B power station will cease operation two years earlier than previously announced.

And most recently we have been raising the need for support for businesses during our discussions with Ministers on Scotland coronavirus tier system.”

(5) a question by Councillor Hill to the Cabinet Member for Post Covid Renewal in the following terms:

"Following the excellent work done by NAC staff and volunteers from our Hubs across the council area throughout the pandemic, can the Portfolio Holder outline proposals for the future use of these facilities?"

Councillor McPhater answered in her capacity as Cabinet Member for Participatory Democracy, thanking the Member for his question and responding in the following terms:

“North Ayrshire staff and volunteers have worked effectively together since March to establish a network of Community Hubs across North Ayrshire. They proved a lifeline for many of our residents, providing essential services such as a prescription delivery service, hot meals, mental health support, befriending and foodbank distribution for those unable to access food due to shielding, self-isolation or financial issues.

Our partners in community-led hubs in Fullarton, Vineburgh, Whitlees, Woodwynd, Garnock Valley Café Solace and Cranberry Moss worked with us to serve communities and the teams together included over 600 current and new volunteers, the third and private sectors and the NHS. Their contribution is a credit to North Ayrshire.

From 31st March to 30th September, 27,387 calls were received; 66,753 food deliveries were made through Community Hubs (in addition to NAC Food Hub figures); and 12,407 prescriptions were delivered.

We have also distributed Scottish Government funding to support local community food larders and fridges, helping with fuel poverty and other poverty-related needs.

Through this collaborative approach, we have learned more about the needs of communities and the effectiveness of working together in different ways.

These outcomes, as well as ongoing discussions with volunteers, community groups and staff, continue to inform our renewal planning within the current Tier 3 Covid-19 conditions and beyond.

Further discussion with elected members and communities will resume early in 2021.”

(6) a question by Councillor Hill to the Leader of the Council in the following terms:

“Can I ask the portfolio holder what discussions have been had with Peel in terms of Ayrshire Growth Deal proposals or any other proposals for the site? What projects have been suggested or proposed? What plans does the council have to ensure the early and full consultation with the local community takes place on any uses of the site?”

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

“Discussions are currently underway with Peel Ports Group (PPG) and Scottish Enterprise (SE) to form a tri-partite agreement to create an innovation parc principally to support proposals around the blue economy. The funding from the AGD is via the UK Government whose principal focus is to support innovation and research and development led economic activity that would be of impact at a UK level as well as locally. The discussions are at a very early stage and appropriate consultation will be put in place.

In terms of any other proposals for the site, if these require planning permission, any application is published online and representations can be submitted as part of the planning process. The Hunterston Liaison Committee, set up in terms of a previous planning condition, also provides an opportunity for local community members to find out information and ask questions of Peel on potential and proposed uses.”

As a supplementary question, Councillor Hill referred to a recent Ferret online article on leaked proposals by Peel regarding the potential use of the Hunterston parc site for decommissioning nuclear submarines, contrary to the Local Development Plan. Councillor Hill asked the Leader to confirm that the Council would stand behind local residents and others in opposition to any attempt to use the site for such a purpose and commit the Council to do everything necessary to stop any such proposals in their tracks.

Councillor Cullinane confirmed that he had seen the Ferret article and it was the first he had been made aware of any such idea. The Leader advised that he did not know whether any discussions had taken place with officers on this matter but undertook to ask officers about this.

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

“There was a recent announcement that the Scottish government was making £30million available to local authorities to enable Councils to make discretionary payments to support local jobs. I was recently made aware that the Scottish government has changed its eligibility criteria for the Strategic Framework Business Fund, the effect of which is to remove payments from hotels, restaurants and food-based pubs not in Tier 4 that have been forced to close or severely limit their trading due to the Covid tier restrictions. Whilst the payments from this fund were totally inadequate they did at least offer at least a crumb of support. However, I am led to understand that at least some of these payments will continue because North Ayrshire will use its discretionary fund, and if that is the case then that is very much to be welcomed.

It would, therefore, appear to me that the £30million is not actually new money but rather that the Scottish government is recycling money its no longer giving to businesses. The worrying aspect of this is that it is almost as if the Scottish government appears to think that businesses in Tiers 2 and 3 which have closed without being forced to were 'at it' and happy to survive on state funds. The Scottish government does not seem to realise that there are many businesses that just don't have any customers due to the Covid restrictions and are closing as a last resort in order to survive. On Arran the majority of the island's hotels, pubs and restaurants are closed. Not because they fancy a bit of break, but because there are no customers due to the Covid restrictions of Tier 3 and temporarily shutting the doors is a painful survival strategy.

To enable us all to have a better understanding of this situation, could the Member tell me how many businesses in North Ayrshire will no longer be automatically eligible for a support payment under the Strategic Framework Business Fund, what proportion of the £30million has come to North Ayrshire for its discretionary use, and finally could he confirm how the Council is intending to use this discretionary fund to support local jobs?”

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

“The Strategic Framework Business Fund was launched on 2nd November and since then North Ayrshire has been in Tier 3. This provides support for those businesses required by law to close under this tier and qualify for a payment of either £2,000 or £3,000 every four weeks dependant on Rateable Value. Those businesses not required to close by law but specifically required to modify their operations due to the new Tier restrictions will receive a payment of either £1,400 or £2,100 based on their Rateable Value, again paid every four weeks. (An example would be a pub that continues to serve food but restricts its operating hours and serves no alcohol would be eligible for this payment).

To clarify the position and clear up any confusion that may exist for those businesses temporarily closing their doors, officers have sought guidance from Scottish Government on their criteria that a business needs to be actively trading and they confirmed that as long as the business is not in Administration it will be eligible for support. This then clarifies that every business who meets the eligibility criteria in North Ayrshire will receive the appropriate payment every 4 weeks.

Separate to the announcement on the tiered support, the Government announced on 17th November that a new Local Authority Discretionary Fund of £30m would be created and shared out amongst the 32 Local Authorities. We still await a formal offer on our allocation from Scottish Government and details on timescales.

Although the fund has been promoted by the Scottish Government as a local discretionary fund, no clear guidance has yet been received on the extent of the discretion that can be applied locally. When received, that guidance will inform and shape our arrangements locally.

Subject to the levels of local discretion, officers will develop a proposal that will deliver the greatest impact giving consideration to other funds that are available and local businesses and jobs most at risk. It is intended that the proposals for the local discretionary fund will be considered by Cabinet in the new year.

With regard to businesses on Arran, the council is very aware of the significant economic challenges being faced on the island. These were set out quite starkly in the Fraser of Allender Report that the council recently commissioned. A meeting is scheduled in the new year with Minister for Energy, Connectivity and the Islands, Paul Wheelhouse and these issues will be discussed with specific asks of support for our islands to support recovery and renewal of the local island economy.”

As a supplementary question, Councillor Billings thanked the Leader and officers for making representations on behalf of businesses and asked that, as soon as the situation became clearer, Members be advised of the details of the Discretionary Fund so that they could in turn advise businesses in their area.

Councillor Cullinane responded in the affirmative.

In terms of Standing Order 5.7, the Provost agreed that the meeting be adjourned at 5.30 p.m. for a comfort break. The meeting reconvened at 5.40 p.m. with the same Members present.

14. Motion

In terms of Standing Order 13, submitted:

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

“This council believes that no bonus is ever a sufficient alternative to a fair pay rise for public sector workers but given that the Scottish Government have announced a £500 payment for NHS and some social care staff, this Council calls on them to recognise the tireless efforts of the local government workforce in supporting our communities throughout the pandemic by making the £500 payment to council workers and all social care staff.”

Following a number of questions by Members with regard to the wording of the motion, including whether it intended to target or exclude particular staff groups and the extent to which it deviated from the wording of a similar motion recently considered by COSLA, the Provost agreed, in terms of Standing Order 5.7, to adjourn the meeting at 6.00 p.m. to allow clarification to be sought. The meeting reconvened at 6.10 p.m. with the same Members present.

As an amendment, Councillor Brahim, seconded by Councillor McMaster, moved that the Council approve the terms of the motion, subject to the following:

“delete everything after [the second reference to] “this council” and replace with “agrees to support the motion passed by COSLA Leaders, calling on the Scottish Government to ensure that it recognises the efforts across our “one workforce” in local government and lobby Scottish Government to ensure that this payment is extended to all Covid-19 responders and key workers across local government and that they are rewarded equally.”

As a further amendment, Councillor Marshall, seconded by Councillor Ferguson, moved as follows:

“Council welcomes the £500 bonus for NHS and social care workers that has been announced by the Scottish Government.

Council also welcomes the announcements from Tesco, Morrisons, Sainsbury’s, Asda and other supermarkets to refund the business rates relief they received during the pandemic.

Council agrees to write to Scottish Government and request that any local backdated business rates payments be retained in North Ayrshire and used to support:

1. Local businesses that still face ongoing trading restrictions
2. Our own front-line employees working in the pandemic response”

Members asked a number of questions of clarification of the proposer and seconder of the motion and amendments.

On a point of order, the Head of Democratic Services was invited to advise on the competence of Councillor Marshall's amendment. He advised that the amendment did relate to the original motion to a sufficient extent to render it competent.

In terms of Standing Order 14.5, Councillor Brahim, with the agreement of his seconder, agreed to alter her amendment, to move that the Council approve the terms of the motion, subject to the following:

“delete everything after [the second reference to] “this council” and replace with “agrees to support the motion passed by COSLA Leaders, calling on the Scottish Government to ensure that it recognises the efforts across local government and lobby Scottish Government to ensure that this payment is extended to all Covid-19 responders and key workers across local government and that they are rewarded equally.”

In terms of Standing Order 14.5, Councillor Marshall, with the agreement of his seconder, agreed to withdraw his amendment.

In terms of Standing Order 14.5, Councillor Foster expressed a willingness to withdraw his motion in favour of the remaining amendment, which would then become the substantive motion. As his seconder, Councillor McPhater did not consent, the Head of Democratic Services confirmed that the motion could not be withdrawn.

On a further point of order, the Head of Democratic Services was invited to advise on the competence of Councillor McPhater's wish to move a further amendment to include financial support for third sector and community groups. It was confirmed that, in terms of Standing Order 14.6 that, having seconded the original motion, Councillor McPhater could not move an amendment without first withdrawing her support for the motion.

The Council then moved to debate.

In terms of Standing Order 16.2, Councillor Gurney moved that the motion be now put.

On a division and a roll call vote, there voted in favour of moving to the vote, Councillors Barr, Bell, Billings, Brahim, Burns, Clarkson, Cullinane, Davidson, Dickson, Easdale, Ferguson, Gallacher, George, Gurney, Hill, Larsen, Marshall, Macaulay, McClung, McMaster, McNicol, McTiernan, Stephen and Sweeney (24) and in favour of proceeding with debate, Councillors Foster, Gallagher, McPhater, Miller, Montgomerie, Donald Reid and Donald L. Reid (7), Councillors Glover and Murdoch (2) abstaining.

Accordingly, the Council agreed to proceed to the vote.

On a division and a roll call vote, there voted for the amendment, Councillor Brahim, Burns, Davidson, Dickson, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McNicol, McTiernan and Donald Reid (13) and for the motion, Councillors Barr, Bell, Clarkson, Cullinane, Easdale, Foster, Gallagher, McPhater, Montgomerie and Sweeney (10), Councillors Billings, Ferguson, Gallacher, George, Glover, Marshall, Miller, Murdoch, Donald L. Reid and Stephen (10) abstaining, and the amendment was declared carried.

Accordingly, the Council agreed as follows:

“This council believes that no bonus is ever a sufficient alternative to a fair pay rise for public sector workers but given that the Scottish Government have announced a £500 payment for NHS and some social care staff, this Council agrees to support the motion passed by COSLA Leaders, calling on the Scottish Government to ensure that it recognises the efforts across local government and lobby Scottish Government to ensure that this payment is extended to all Covid-19 responders and key workers across local government and that they are rewarded equally.”

15. Urgent Item

The Provost agreed that the Council consider the following as a matter of urgency given that the motion related to an Education matter which required an early decision.

15.1 Motion

Councillor Foster, seconded by Councillor Montgomerie, moved as follows:

“Council asks that the Scottish Government allow all schools in North Ayrshire to move to remote learning for the last three school days of 2020.”

Members asked questions of clarification of the proposer and seconder of the motion.

As an amendment, Councillor Billings moved as follows:

“Council asks that the Scottish Government allow all pupils in North Ayrshire the option of moving to remote learning for the last three school days of 2020.”

Members then asked questions of clarification of the proposer of the amendment. There being no seconder, the amendment fell.

There being no further amendments, the motion was declared carried.

The Meeting ended at 7.20 p.m.