

North Ayrshire Council  
8 December 2021

At a Meeting of North Ayrshire Council at 2.00 p.m. involving participation by remote electronic means.

**Present**

Robert Barr, John Bell, Timothy Billings, 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, Tom Marshall, Shaun Macaulay, Tom Marshall, Jean McClung, Ellen McMaster, Ronnie McNicol, Louise McPhater, Davina McTiernan, Jimmy Miller, Ian Murdoch, Donald Reid, Donald L. Reid, Angela Stephen and John Sweeney.

**In Attendance**

C. Hatton, Chief Executive; C. Cameron, Director (Health and Social Care Partnership); R. McCutcheon, Executive Director (Place); K. Yeomans, Director (Growth and Investment); A. McClelland, Head of Service (Education) (Communities and Education); M. Boyd, Head of Service (Finance), F. Walker, Head of Service (People and ICT); A. Craig, Head of Service, N. Shearer, Team Manager (Legal Services), M. McColm, Senior Manager (Communications), H. Clancy, A. Little, D. McCaw and C. Stewart, Committee Services Officers and M. Anderson, Senior Manager (Committee and Member Services) (Democratic Services) (Chief Executive's Service).

**Chair**

Robert Barr, Depute Provost, in the Chair.

**Apologies**

Ian Clarkson and Jim Montgomerie.

**1. Depute Provost's Remarks**

In the absence of the Provost, the Depute Provost welcomed Members and officers to the meeting, which was proceeding on a wholly remote basis by electronic means, and dealt with preliminary matters.

**2. Apologies**

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

### **3. Declarations of Interest**

There were no declarations of interest in terms of Standing Order 10 and Section 5 of the Councillors' Code of Conduct.

There were no declarations of the Party Whip.

### **4. Previous Minutes**

The accuracy of the Minutes of the Ordinary Meeting held on 27 October 2021 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 18 October – 28 November 2021.

Noted.

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

Submitted report by the Leader of the Council for the period from 18 October – 28 November 2021.

Noted.

### **7. Council Minute Volume**

Submitted for noting and for approval of recommendations contained therein, the Minutes of meetings of committees of the Council held in the period 29 April – 29 November 2021.

Noted.

### **8. Appointment of Statutory Officer – Chief Social Work Officer**

Submitted report by the Head of Democratic Services on the appointment of the Chief Social Work Officer.

Noted.

### **9. Hybrid Committee Meetings Pilot Update**

Submitted report by the Head of Democratic Services of the continued hybrid committee meetings pilot which took place in November 2021.

At its meeting held on 27 October 2021, the Council received an update report on the outcome of an initial phase of a hybrid committee meetings pilot held in September/October 2021 and agreed to extend the pilot into November 2021. It was agreed that an update report be submitted to the December 2021 meeting of the Council.

The Council unanimously agreed as follows:

- (a) to note the outcome of the extended hybrid meetings pilot;
- (b) to pause the hybrid committee meetings pilot whilst the implications of the Omicron variant of COVID-19 were understood further; and
- (c) that a further report in respect of hybrid working be submitted to the next meeting of the Council for consideration.

## **10. Highlands and Islands Regional Economic Partnership**

Submitted report by the Chief Executive on the developing proposals for a Highlands and Islands Regional Economic Partnership.

Councillor Cullinane, seconded by Councillor Bell, moved approval of the recommendations set out in the report.

As an amendment, Councillor Marshall, seconded by Councillor Ferguson, moved approval of the recommendations set out in the report, subject to Councillor Billings being nominated as an Elected Member representative from North Ayrshire Council instead of Councillor Gallagher.

There followed debate and summing up.

On a division and roll call vote, there voted for the amendment, Councillors Barr, Billings, Ferguson, Gallacher, George, Glover, Marshall, Stalker and Stephen (9) and for the motion, Councillors Bell, Burns, Cullinane, Davidson, Dickson, Easdale, Foster, Gallagher, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McNicol, McPhater, McTiernan, Miller, Murdoch, Donald Reid, Donald L. Reid and Sweeney (22), and the motion was declared carried.

Accordingly, the Council agreed as follows:

- (a) to participate in the Highlands and Islands Regional Economic Partnership;
- (b) to note that by participating in the proposed Highlands and Islands Regional Economic Partnership, North Ayrshire Council would help shape and refine the proposed operating and governance arrangements;

- (c) to appoint the Cabinet Member for Post-Covid Renewal and the Islands as the Council's representative on the Partnership; and
- (d) to delegate authority to the Chief Executive to make officer appointments to the Partnership

#### **11. The Boundary Commission for Scotland: 2023 Review of UK Parliament Boundaries in Scotland**

Submitted report by the Head of Democratic Services on the Boundary Commission for Scotland's 2023 Review of UK Parliament Constituencies in Scotland.

The Council unanimously agreed as follows:

- (a) to note (i) the Boundary Commission for Scotland's 2023 Review of UK Parliament Constituencies and (ii) that currently the four Ayrshire Parliament Constituencies remained unchanged; and
- (b) to receive further updates as the Review progressed.

#### **12. Boundaries Scotland: 2019 Review of Electoral Arrangements**

Submitted report by the Head of Democratic Services on the new electoral arrangements for the North Ayrshire Council area following a review by Boundaries Scotland. The arrangements would come into force in time for the local government elections on 5 May 2022.

Members asked questions, and received clarification, on the following:

- the background to the review process;
- the apparent inclusion of parts of Ardrossan within the Saltcoats and Stevenston ward;
- the timescale for the provision of guidance on the new wards, to facilitate arrangements for campaigning in the 2022 local government elections;
- the impact of the new wards on the level of community representation on the Arran Locality Partnership and arrangements for reviewing this; and
- the position of Blair Park, Dalry in the new ward arrangements.

The Head of Democratic Services undertook to provide (i) requested clarification on the boundary between the Saltcoats and Stevenston ward and the Ardrossan ward; (ii) a briefing note on the new electoral arrangements early in the new year, to guide existing Elected Members and prospective candidates on campaigning in the local government elections; and (iii) clarification on the position of Blair Park in terms of the new electoral arrangements.

Noted.

### **13. Compulsory Purchase – 2 Montgomerie Road, Saltcoats**

Submitted report by the Head of Democratic Services on the proposed compulsory purchase of the site of the now demolished 2 Montgomerie Road, Saltcoats.

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

Accordingly, the Council agreed to make the following resolution:

"That The North Ayrshire Council resolves in exercise of the powers conferred by Section 124 of the Housing (Scotland) Act 1987 and in accordance with the provisions of the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 to make a compulsory purchase order to be called "The North Ayrshire Council (2 Montgomerie Road, Saltcoats) Compulsory Purchase Order 2021" to purchase compulsorily ALL and Whole the site of the former dwellinghouse situated at 2 Montgomerie Road, Saltcoats KA21 5DJ shown coloured red on the attached Plan together with those rights in common to the entrance gates, access avenue, drying green and washhouse shown coloured blue on the said Plan specified in the Disposition by the Executor of William Barr recorded GRS(AYR) 2nd September 1970, authorise and instruct a Proper Officer of the Council to sign the Order and Plan on behalf of the Council; affix thereto the Common Seal of the Council; submit the Order and Plan to the Scottish Ministers for confirmation; give the appropriate notice to the owners and occupiers of the subjects, insert the appropriate notice in the local press and certify to the Scottish Ministers that the subjects (a) do not belong to the local authority, (b) have not been acquired by statutory undertakers for the purposes of the undertaking, (c) do not form part of a common or open space (d) are not held inalienably by the National Trust for Scotland; and (e) are not listed as being of special historical or architectural interest under Section 1 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, and take all steps necessary to complete the compulsory purchase procedures"

### **14. Questions**

In terms of Standing Order 12, submitted:

- (1) a question by Councillor Larsen to the Cabinet Member for Education in the following terms:

"Can the Cabinet Member confirm if any child has been assessed and placed in Early Years at Lockhart Campus?"

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

“Assessment of current need in the early years’ population is ongoing and assessment already undertaken has established that, at present, our local early years centres and classes can appropriately meet the needs of the children beginning this stage of their education.

So far this session, around 80 children have been assessed by our Educational Psychology Team to determine their additional support needs and these children are being appropriately supported within their local early years provision. We will continue to assess need in the early years population to determine the most appropriate support. Therefore, no child under the age of 5 is accommodated in Lockhart Campus at this time.

The Lockhart campus can and will continue to be able to accommodate early years children who are assessed as requiring to access this facility in the future and this will continue to be determined on an individual basis as at present.

We are committed to providing inclusive and nurturing learning environments across our early years centres and classes that allow children to flourish, including high quality outdoor spaces, communication-friendly environments, and sensory areas where appropriate. This is supported by ongoing coaching and high-quality training for our staff.”

As a supplementary question, Councillor Larsen asked the Cabinet Member to advise what he would do to ensure that the parents of children with additional support needs were informed that early years provision was an option at Lockhart Campus, and to confirm when it would be possible to see the new Lockhart Campus early years uniform.

Councillor Bell responded by noting that all of the children attending the P1 class at Lockhart Campus currently had been appropriately supported in their mainstream early years settings. The Cabinet Member confirmed that the ongoing assessment process would ensure that children continued to be supported appropriately in terms of early year provision and that if and when an early years uniform was required for Lockhart Campus, the children would be involved in designing it.

(2) a question by Councillor Stalker to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“I would like to ask the Cabinet Member for Green New Deal and Sustainability about the progress that has been made with Transport Scotland regarding the former trunk road through Dalry?”

A package of improvements was agreed in principle with Transport Scotland in December 2020.

As far as I am aware to this date, Transport Scotland have still to formally approve this and release funding to the Council. My fear is with £23.7 million of money from the UK Government's levelling up funding for the B714 now announced, the proposed work of carriageway and footway resurfacing, drainage improvements, lighting and structure improvements and replacement road signage will be side-lined where this work is drastically need to help improve Dalry and which should have been completed before road was handed over to North Ayrshire Council."

In the Cabinet Member's absence, the Leader of the Council thanked the Member for his question and responded in the following terms:

"I can confirm that officers agreed a package of improvements to be undertaken on the former trunk road infrastructure through Dalry in December 2020 with an estimated financial settlement of over £700k. The Chief Executive wrote to his counterpart in Transport Scotland recently to request confirmation of when the funding would be made available to the Council and a response was subsequently received.

The response advises that Transport Scotland's *'legal services are progressing with the drafting of a full and final settlement agreement and...an initial draft will be issued to North Ayrshire Council in the coming weeks. Upon receipt of a signed agreement from North Ayrshire Council, payment of the agreed settlement figure can be processed shortly thereafter.'*

Subject to timely receipt of the funds, it is the Road Service's intention to programme the works to be undertaken during the 2022/23 financial year.

The recently announced £23.7m from the UK Government's levelling up funding for the B714 upgrade will not have any impact on the handover works agreed on the former trunk road through Dalry."

(3) a question by Councillor Marshall to Councillor McPhater in her capacity as a Council appointee on North Ayrshire Ventures Trust, in the following terms:

"Noting that North Ayrshire Venture Trust (NAVT) has agreed to provide a £800,000 funding boost to extend the Ardrossan Marina can the Member provide a list of the funds made by NAVT over the last 3 years by organisation and value?"

Councillor McPhater thanked the Member for his question and made reference to the following written response:

"North Ayrshire Ventures Trust Ltd is a separate entity from the Council and operates two specific funds. The first relates to grants to voluntary, community and social enterprises. From this fund, £709,020 has been awarded during the 3 years to 30 November 2021 to the undernoted list of groups:

<b>Community Body</b>	<b>Total Awarded</b>
55th Ayrshire Scouts	10,000
Irvine Gymnastics Club	30,000
Kilwinning Bowling Club	30,000
Ardrossan Rugby Club	30,000
Ardrossan Highland Games	10,000
Clyde Porpoise	16,000
Vineburgh Community Association	39,940
North Ayrshire Foodbank	30,000
WKCI	9,665
Castlepark Community Association	30,000
Lamlash events	10,000
Evolution Skatepark	30,000
Input SCIO	29,046
Ayrshire Children's Services CIC	30,000
MECOCO	30,000
Millport Town Hall	15,932
ACES Woodwynd Community Centre	30,000
Garnock Rugby Club	30,000
Irvine Cricket Club	30,000
Woodside Farm CIC	10,000
Cumbrae Community Development Co.	22,687
Radio City	8,250
Irvine Sports Club	30,000
Inspire Motivate Celebrate Saltcoats	17,500
Cumbrae Wave	30,000
COAST	30,000
Community Choices	30,000
TACT	60,000
<b>TOTAL</b>	<b>709,020</b>

In addition, a further £380,000 was awarded from this fund to North Ayrshire Council to support the following projects:

<b>Project</b>	<b>Total Awarded</b>
Green Jobs Fund	250,000
Covid 19 support for Community Groups	100,000
Events Coordinator	30,000
<b>TOTAL</b>	<b>380,000</b>



The second fund operated by NAVT relates to the disbursement of funds transferred from the former Irvine Bay Regeneration Company to support regeneration capital projects in the area comprising generally Irvine, Stevenston, Saltcoats and Ardrossan.

In addition to those projects which were ongoing at the time of the transfer in 2017, NAVT has awarded a further £3,985,852 to North Ayrshire Council during the 3 years to 30 November 2021 to support the following projects permissible in terms of the funding transfer agreement between Irvine Bay Regeneration and the Council:

<b>Capital Project</b>	<b>Total Awarded</b>
Irvine High Street Public Realm	1,375,852
Ardrossan Harbour	2,000,000
Annickbank Phase 3	500,000
Repurposing Property Grant Fund	110,000
<b>TOTAL</b>	<b>3,985,582”</b>

As a supplementary question, Councillor Marshall noted that, while grants to voluntary groups were spread across the whole of North Ayrshire, capital project funding was restricted and sought clarification as to whether funding applications from the North Coast, including for the Largs seafront public toilets, could be considered.

Councillor McPhater responded by undertaking to seek clarification on this matter.

The Head of Democratic Services clarified that funds which had been transferred from the former Irvine Bay Regeneration Company could only be used to support projects within the Irvine Bay area, but undertook to provide further information to Members on the detail of the funding arrangements.

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

“In November, it was announced that the former Seabank care home in Canal Street, Saltcoats was to become the site of a new national drug rehabilitation facility (subject to planning permission).

Scotland’s level of drug-related deaths in the past year was 3.5 times higher than across the UK as a whole, and was higher than any other European country. So I welcome initiatives to tackle drug use, and I appreciate the proposed Specialist Residential Family Unit will help keep families together while treatment is offered to a person suffering from addiction.

My question relates not to the services that will be offered by such a facility, but to the openness, transparency and accountability in this council and how we interact with the people we represent. Will the Leader of the Council inform Members what meetings/discussions took place with Elected Members and North Ayrshire Council officers prior to this decision being made? Will he also inform Members who made the decision and what Consultation was carried out with local Elected Members and residents of Saltcoats prior to this decision?"

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

"Angela Constance MSP in her role as the Minister for Drugs Policy announced in Parliament on 3 August this year that there would be a new national residential rehabilitation service developed in North Ayrshire. The facility will specifically support families affected by drug use. The announcement noted that funding had been agreed in principle for the new National Specialist Residential Family Service to be run by the charity and housing association Phoenix Futures and that the service would be based in Saltcoats. At that time, I can confirm that there had been no consultation with the Council, the Alcohol and Drugs Partnership nor the Integration Joint Board in relation to the development, none of which were engaged in, or aware of the development of the proposal and subsequent announcement.

This approach is not conducive to the principles of partnership working between national and local government that we seek to foster and, on that basis, as Leader of North Ayrshire Council, I wrote to the Minister on 10 August to express concerns in this regard. Following the Minister's response on 25 August a meeting was arranged to discuss the development. This meeting took place on 28 October. Present at this meeting, were the Drugs Minister and Scottish Government officials, myself as Council Leader, Craig Hatton as Chief Executive, Councillor Foster as Cabinet Member for Health and Social Care, Caroline Cameron as Director of the HSCP, and a number of representatives from Phoenix Futures were also present.

In response to the question asked there were, therefore, no meetings with Elected Members and North Ayrshire Council officers prior to the decision being made. The Scottish Government made the decision with no consultation with local Elected Members and residents of Saltcoats.

At the meeting on 28 October with the Drugs Minister, I again raised the impact of the lack of communication and consultation and the support North Ayrshire Council could have provided. For example, in working together to identify a suitable location to complement our own regeneration plans for the area and to enable a joined-up response to local enquiries, providing an opportunity for local Elected Members and residents to understand the proposals and their impact.

It is my understanding that Phoenix Futures have not yet concluded on the purchase of the building. The Health and Social Care Partnership and ADP have subsequently had ongoing engagement with Phoenix Futures on the new facility to scope out the impact on local services, the referral pathways and a communications plan which will include engagement with local Elected Members and the community. Colleagues in the HSCP will continue to positively engage with the provider to ensure the new national facility also meets the needs of local residents”

As a supplementary question, Councillor McNicol asked why local Elected Members were not updated on the outcome of the meeting between the Minister, Phoenix Futures and the Council, and asked for an assurance that local people would have an opportunity to have their concerns addressed before the facility went ahead.

Councillor Cullinane responded by emphasising that the Council had not been involved in developing the proposal, but had emphasised to the Minister and Phoenix Futures the importance of consultation and engagement with local community and had been assured that this would take place once the building had been purchased.

(5) a question by Councillor McNicol to the Leader of the Council in the following terms:

"Since the Ardrossan North Shore Site was decommissioned between 1986 and 1989, the following site investigations have been carried out by North Ayrshire Council and Cunninghame District Council:-

- Ardrossan North Shore Site Investigation Non -Technical Summary, May 2021
- Envirocentre, Ardrossan Development Site 2019 Site Investigation Interpretative Report, August,2019
- Envirocentre Detailed Investigation, Ardrossan Phase 1 (Northern and Southern Corners), April 2011
- Fairhurst, Proposed Developers Package, July 2010
- Envirocentre Detailed Delineation Investigation, Ardrossan Phase 1, December 2008
- Envirocentre Remediation Strategy, Ardrossan Main Site, July 2008
- Envirocentre Draft Remedial Strategy, Ardrossan Former Shell Bitumen Terminal, November 2006
- Mason Evans, Ardrossan Phase II, Hydrocarbon Remediation Report, June 2006
- Arup Revised Conceptual Site Model, September 2006
- Arup, Ardrossan Bitumen Terminal Investigation and Remediation Strategy, March 2001
- Shell UK Ltd, Ardrossan Bitumen Terminal, Risk Assessment Report, May 2000
- Shell UK Ltd, Ardrossan Bitumen Terminal, Factual Report Volume 1, Text and Figures, 1999
- Raeburn Drilling & Geotechnical, Report on Ground Investigation, July 1995 and
- Fairhurst, 20800 Shell Bitumen, Ardrossan, Treatment of Contamination, July 1991

Additional works carried out in 2020 and 2021 include:-

- Environmental monitoring completed in 2020
- Production of Remedial Strategy Document completed in 2020
- Assessment of existing soil stockpiles on site completed in 2021
- Assessment of sediment quality in adjacent proposed marina development area with respect to potential use as infill on the Ardrossan North Shore Site completed in February 2021
- Site investigation works of the Coast to Coast site which is to form part of the development site, completed in April, 2021

Will the Leader of the Council inform Members of the cost to North Ayrshire Council since 1996 and previously Cunninghame District Council, of all Site Investigations (as detailed above) carried out by Companies on the North Shore Site, Ardrossan since the site was vacated by Shell UK Ltd in 1986? Will he also inform Members of the cost to decontaminate the North Shore site prior to the commencement of any works?"

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

"The list of previous studies undertaken into ground conditions at the North Shore site illustrates how extensive our understanding is of site conditions. However, the majority of these were undertaken prior to the Council taking ownership of the site in 2020 with the cost met by Shell, Peel Land and Property or the Irvine Bay Regeneration Company.

Works since that point have included site investigations, environmental monitoring, the development of a remediation strategy, assessment of stockpiles, assessment of sediment quality, investigations of the Coast to Coast bus garage site, meetings with local Members and residents, habitat surveys, the development of an environmental impact assessment and of a specification or tender package for the works. The total cost to the Council of these investigations and associated recommendations has been £160,114.

The cost of decontamination works will be confirmed in Spring 2022 on the award of a contract for the works. The tender package for the works was issued on 1 December, and a planning application submitted on 29 November."

The Leader concluded his written response by referring to the Member's repeated leading questions on a range of issues relating to the development of the North Shore and asserting that it was time for Councillor McNicol to state whether he would oppose any development at this location, regardless of the facts presented.

As a supplementary question, Councillor McNicol, clarified that he was not against a new school but was against the site and, referring to clauses within the Ardrossan Community Campus project 'Employer's Requirements' document and to contaminants referred to in the Site Investigation report, asked whether the Leader and his Administration would accept less than a guarantee that the site was 100% free of known toxins before embarking on a plan to build two schools and a leisure facility there.

Councillor Cullinane responded by referring to numerous assurances he previously made with regard to an appropriate remediation strategy for the site and expressing concern that the Member's stated objection to the site might preclude him from taking part in consideration of the matter when it came before the Planning Committee.

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

"To ask the Cabinet portfolio holder for Education how many teachers and school support staff have raised serious concerns with NAC over the last 3 years in relation to online abuse? (Please provide a year-on-year breakdown of possible)."

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

"North Ayrshire Council treats any abuse of staff seriously and seeks to respond accordingly. We do not gather statistical data to offer in relation to online abuse of teachers and school support staff however we do respond to any complaint or concern raised by a member of our staff.

In general, staff in schools will approach their Head Teacher or Head of Centre with any concern. The Head might be able to investigate, dependent on the circumstances and information available, but would certainly be able to offer support and advice. If it is found that the online abuse is coming from another member of staff, then there are policies to protect individuals who are subject to this abuse. The individual has recourse to the Dignity and Respect at Work Policy and Grievance procedure.

Occasionally, parents will post unfair and ill-informed information online. When schools are made aware, they will invite that parent to discuss their concerns and seek to reach a resolution.

If a pupil is found to be the culprit, the school's response will be in line with policy and take into account individual circumstances.

Furthermore, like every other citizen, any member of staff can contact the police who can investigate and who can ask social media channels and online platforms to divulge information about users."

As a supplementary question, Councillor Ferguson referred to a report from School Leaders Scotland about some concerning TikTok videos which had been reported to Police Scotland, and asked whether the Cabinet Member would have a discussion with Education about reminding students about the dangers of TikTok and its appropriate use.

Councillor Bell responded by confirming that he would ask Education to provide more information to pupils about the dangers of social media to seek to ensure that it was used with respect for others.

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

“To ask the Cabinet portfolio holder for Health and Social Care what contingencies have been put in place to support NHS Ayrshire and Arran over the winter period in the event of a ‘Code Black’?”

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

“A Code Black scenario is where there is a risk to patient safety due to hospitals being at full capacity and under those conditions the NHS may postpone planned operations and appointments to so that staff can concentrate on the demand for urgent care. On 28th October 2021, NHS Ayrshire and Arran enacted their Full Capacity Protocol across both Crosshouse and Ayr Acute Hospitals. The triggers for enacting the protocol are similar to those in a Code Black scenario, i.e. patients with long waits for beds, delays in ambulance handovers, insufficient bed capacity to meet demand, all areas of the hospital full with additional patients placed in areas they would not normally be cared for, critical care capacity reached and a number of patients medically fit for discharge awaiting social care or awaiting a transfer to a downstream or community hospital bed. Pressures across the care system are the greatest they have ever been at any point during the pandemic. We are undoubtedly both at a local and national level heading towards the most challenging winter our health and social care services will face. All available resources are currently being deployed.

The HSCP are continuing to work tirelessly to support the acute hospitals to reduce delayed transfers of care by prioritising timely access to social care. The factors currently putting pressure on the acute hospitals include a combination of patients presenting at hospital more acutely unwell and requiring support with complex needs, workforce challenges, high occupancy levels due to demand and people experiencing delays in the availability of social care. There are very similar pressures being experienced across the rest of our community-based health and social care services.

In support of winter pressures, new investment of £300million in hospital and community care has been announced by the Scottish Government. The funding is focussed on four main areas – Maximising Capacity, Ensuring Staff Wellbeing, Ensuring System Flow and Improving Outcomes with the overarching aim being to reduce risks in community settings and supporting flow through acute hospitals. The funding is to support a range of measures to maximise capacity in hospitals and primary care, to reduce delayed discharges, improve pay for social care staff, and to ensure those in the community awaiting support receive effective and responsive care. Specific funding allocations were communicated to HSCPs on 4 November, with a total of £3.4million allocated to North Ayrshire specifically for interim care, Multi-Disciplinary Teams and Care at Home capacity.

The Partnership has developed a North Ayrshire winter plan in line with the funding allocation which will be presented for IJB approval on 16 December. The funding and new investment is welcomed, particularly in relation to community services, and this will allow the IJB to take a longer-term position to increase capacity across our system and to invest in services which focus on early intervention and prevention and the alternatives to hospital admission. However, expectations require to be managed in relation to how quickly this will have a noticeable impact on our health and social care system, as the investment is reliant on successful recruitment. Particularly, as there is ongoing recruitment underway across services including acute hospitals, community health and social care services (including commissioned providers), mental health, addictions, vaccinations and testing and primary care with all parts of the health and care system drawing on the same pool of candidates.

Prior to the allocation of funding, for some time now the Partnership has been proactively accelerating recruitment across a number of priority areas, including care at home, the nursing workforce and mental health services. For example, in Care at Home, there have been 12 face-to-face recruitment events since early September and there are further events planned over December and January. Workforce is a key priority in addressing the demand on services and we have been proactively recruiting into services. So far, the Partnership has had some success in areas as result; however, the impact is incremental and in many cases the progress in growing teams has been more than offset by increased demand, high turnover of staff due to the number of alternative job opportunities and the inability for commissioned care providers to recruit and retain a sustainable workforce.

The continued focus of the Partnership and IJB as we move into winter, is to continue to support the hospitals to return to delivering on patient safety and quality requirements. This will be supported through pro-active recruitment to build service capacity and by positively working across our health and care system to maximise all capacity, for example by the use of interim care solutions.

As Cabinet Portfolio Member for Health and Social Care, I would like to take the opportunity to acknowledge the tremendous efforts of staff across the Health and Social Care Partnership who have been under immense pressure for a sustained period, whilst continuing to deliver services with professionalism and dedication. The workforce is our greatest asset and growing and retaining their skills and experience will be the key to addressing the current and future pressures as we head into one of the most difficult winter periods.”

As a supplementary question, Councillor Ferguson, having recorded his own appreciation of the work of all NHS staff during the pandemic, referred to recent pressures experienced by A&E services in Lanarkshire and asked if there were appropriate contingency arrangements in place, potentially including access to Army personnel, to cover a similar situation in Ayrshire and Arran.

Councillor Foster responded by confirming that there were weekly meetings between senior managers from the HSCP and NHS, including involvement by the Minister, and that improving flow through the hospital was a priority as winter impacted on A&E services.

(8) a question by Councillor Donald L. Reid to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“What explorations have taken place within NAC regarding the legal mechanisms that might require owners of retail properties which are closed (and in truth simply abandoned, often for several years) in North Ayrshire, to encourage them to maintain their properties to a reasonable standard; and in terms of payments of business rates, what concessions are made for retail property owners who allow their properties to remain empty resulting in them degrading and bringing what has been described as ‘an air of despondence’ to many town centres in North Ayrshire?”

In the Cabinet Member’s absence, the Leader of the Council thanked the Member for his question and responded in the following terms:

“The Council, as Planning Authority, has no powers to encourage the upkeep of vacant retail properties. Should the condition of a property deteriorate to a point where it is considered to adversely affect the amenity of the area, the Planning Authority, at that point, can require the owner to take steps to abate the harm. This must be the minimum necessary required to abate the harm. Should the owner not take the minimum steps, the Council can carry out the works itself and seek its costs from the property. There is also a right of appeal against such action.



Protective Services often have to deal with the issues resulting from properties, including retail premises, which have been closed for some time and are suffering from the effects of little or no maintenance. Where such properties present a danger to the public, the Council's Protective Services Team will try to establish the current owners and work with them in order to remove or reduce the danger, but if this isn't possible, they will carry out the work and attempt to recover any costs incurred. Unfortunately, the powers available to Protective Services, which include Building, Public Health and Environmental Health legislation, do not solely address the many issues that such properties present within town centres.

Regarding business rates: these are controlled by the Scottish Government. Discounts are applied follows:

- 50% discount for unoccupied properties for the first three months of vacancy and 10% discount thereafter
- 100% discount for unoccupied listed buildings
- 100% discount for unoccupied buildings in receipt of a valid building warrant from the date of issue of the warrant until this lapses

The recently launched Repurposing Property Grant Fund, was created to help support landowners and community groups to bring back vacant land and properties to use. This is a key strand of the Council's Community Wealth Building Strategy and Regeneration Delivery Plan and long-term plans to regenerate the area. It aims to reinvigorate discussion on vacant and derelict sites and bring redundant properties back into positive use. Through this approach, the Council will work closely with landowners and community groups to make the most of local assets.

The Fund has been promoted widely to encourage applications and approaches have been made to several community organisations and town centre property owners to raise their awareness of the Fund. The first phase of the Fund totals £200,000 and will allow landowners or community groups to carry out feasibility studies to identify potential options for the sites and their viability. The potential for further stages of the Fund to support project delivery following the feasibility stage will be informed by the outcome of the first round.

The Council is also reviewing its current commercial portfolio including empty shop units in some of our towns and how these can be re-purposed for non-retail use. Work by officers is underway that will inform new plans to be brought forward in the new year that maximise Community Wealth Building opportunities and result in empty retail units being brought back into re-use."

As a supplementary question, Councillor Donald L. Reid asked whether, given the inordinately large number of vacant or derelict properties in Beith and Kilbirnie, consideration could be given, if the opportunity arose, to the compulsory purchase of at least some of these buildings or to making buildings available for social housing.

Councillor Cullinane responded by referring to site visits undertaken by the Regeneration Team together with local ward Members and confirmed that the outcome of these would be taken forward.

(9) a question by Councillor Donald L. Reid to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“There is great interest in the extension of National Cycle Route 7 from Kilbirnie to Dalry and I am aware of some level of progress by North Ayrshire Council on this issue. Can a brief update be provided on the current situation?”

In the Cabinet Member’s absence, the Leader of the Council thanked the Member for his question and responded in the following terms:

“The existing alignment of National Cycle Network Route 7 from Dalry to Kilbirnie uses unrestricted rural roads. The Council and Community share a longstanding aspiration to identify an alternative off-road alignment for the route. Feasibility work has been undertaken but delivery has not been achieved to date.

A potential new alignment was identified by a member of the community in August 2020. This was supported by the ‘Garnock Valley Moving Around’ committee. Details of this route were shared with the Council in August 2020 and considered at the Garnock Valley Locality Partnership meeting on 15 September 2020. At this meeting it was agreed that North Ayrshire Council would approach Sustrans with view to securing the funding required to appoint a suitable transportation consultancy to review the feasibility of this new route.

The proposal was received positively by Sustrans who subsequently applied to Transport Scotland for the funding to undertake the study. Sustrans received confirmation of the award on 1 July 2021. North Ayrshire Council staff worked with Sustrans to prepare a brief for the competitive tender of study. This process was won by AECOM.

An inception meeting took place on 15 November 2021 and an initial site walkover took place on 30 November 2021. This involved representatives of the AECOM team, North Ayrshire Active Travel team and Dalry Community Council.

Landowners have been informed of the study and in-person meetings are planned for January 2022. These will discuss options and better understand any concerns that landowners may have. Feedback from landowners will shape preliminary designs which will be worked up and taken back to them for further discussion.

In the early stages of the study, AECOM will focus on:

- Consideration of viable options to cross private landowners’ fields that would not negatively impact farm operations;

- Flood risk management; and
- Initial negotiations with Network Rail, as the identified route requires to utilise an existing underpass under the live train line

The North Ayrshire Active Travel team will report and provide project updates through the Garnock Valley 'Moving Around' sub-group of the Locality Partnership, as the project progresses.”

In terms of Standing Order 5.7, the Depute Provost agreed that the meeting be adjourned at 3.30 p.m. for a short comfort break, reconvening at 3.45 p.m. with the same Members and officers present and in attendance.

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

“What dialogue has the Leader had with the Scottish Government regarding the fairer funding for North Ayrshire Council? The Scottish Conservatives have repeatedly called on fairer funding for all councils”

Councillor Cullinane thanked the Member for her question and responded verbally. The Leader questioned any attempt to write Austerity out of the history books and referred to the level of cuts the Council had had imposed on it since 2010. He advised that, every year, his Administration lobbied for a fair settlement for North Ayrshire Council and local government in general, and advised that it was the Labour Administration which had refused to accept the cuts offered in the 2017/18 settlement, leading to changes in the Scottish Government’s approach. The Leader advised that, annually, he wrote to the Finance Minister in advance of the budget; supported COSLA’s national campaign for fair funding for local government; and took the opportunity to express the need for fairer funding whenever he engaged with Ministers, including the most recent meeting with the Local Government Secretary, Shona Robinson MSP.

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

“Given that are circa 375 Procurement Cards issued to staff who are employed by North Ayrshire Council can the Leader confirm what policies and training arrangements are in place for staff and that the cards are being used in line with Community Wealth Building objectives?”

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

“Procurement cards offer a more flexible and timely route for the procurement of lower level goods and services across the Council. Since they were introduced, this has had the benefit of reducing the number of transactions which in many instances would otherwise have been purchased via petty cash, where physical cash handling brings its own risks. It is recognised, however, that the use of Procurement cards comes with responsibility for cardholders, approvers and administrators.

In terms of training and guidance, all users require to operate procurement cards in accordance with the published Procurement Card policies and procedures guide which includes key information around responsibilities, controls and available support and comply with the Council’s Standing Orders relating to contracts. In addition, operational support for cardholders and approvers is delivered through 2 iLearn on-line training modules.

It should also be stressed that if any inappropriate use of procurement cards is found to have taken place, these matters will be dealt with in accordance with the Council’s disciplinary procedures and may also result in criminal proceedings.

From a Community Wealth Building perspective, procurement is one of the key pillars of the CWB Strategy. The Council’s Business Development Team actively engage with North Ayrshire businesses, be it through training and support around Council quick quotes, tender or framework opportunities. Spend through procurement cards also contributes to these objectives.”

As a supplementary question, Councillor Marshall referred to the difficulty of controlling spend on Procurement Cards and to the number of cards held by various schools and Services, and asked whether it was time to review the use of procurement cards and reduce the number in circulation.

Councillor Cullinane responded by advising that this was an operational matter and that no report on Procurement Cards had been brought to Cabinet in the last five years. The Leader noted that the issue of Procurement Cards had been raised at Audit and Scrutiny and suggested that this committee was the appropriate vehicle for undertaking scrutiny. He noted that if Audit and Scrutiny recommended a change of approach, the Cabinet would consider it.

(12) a question by Councillor Billings to the Cabinet Member for Green New Deal and Sustainability in the following terms:

“In June 2018 North Ayrshire Council adopted the Plastic Waste Prevention Action Plan, with the stated aim of being a ‘Plastic Free Council’, by 2022. In addition, it was agreed that Council officers will proactively work with community partners, local businesses and the 3rd Sector Organisations to promote and encourage initiatives and activities to prevent and reduce the impact of single-use plastics on the local environment.

Could the Member for Green New Deal and Sustainability tell me what progress the Council has made towards becoming plastic free, what further steps are required to achieve this aim, and provide details of the proactive engagements and initiatives have taken place to encourage outside organisations to prevent and reduce the impact of single-use plastics?”

In the Cabinet Member’s absence, the Leader of the Council thanked the Member for his question and responded in the following terms:

“Despite the challenges presented by the pandemic, work has continued to progress to implement the Council’s Single Use Plastics Action Plan.

Initial efforts focused on undertaking internal surveys to gather critical baseline data to inform options for alternative products. Officers then worked collaboratively to take the following steps:

- Removal of two million plastic straws from the local environment
- No purchase of plastic cups across the Council or supply of plastic bottles through commercial catering
- No single use plastic used in the serving of primary school meals apart from soup lids, and an option for these lids is being investigated
- All academies have now switched to biodegradable disposables, cutlery and packaging
- Removal of sauce sachets and replacement with large pump bottles (this has been temporarily impacted by the pandemic)
- Period products – we are working with a supplier who provides plastic-free products
- Engaged with schools to promote sustainable behaviours and to raise awareness of the impact of Single Use Plastics dropped as litter on the environment, as well as encouraging young people to reduce, reuse and recycle their plastic and other waste

Officers have also worked externally with the ‘Think About Plastic’ initiative on Arran a part of the Plastic Free Coastlines Campaign and supported them in gaining accreditation as the first community in Scotland to be granted "Plastic-Free Community" status.

Following the recent COP26 conference, a three-phase communications plan has been developed which links to the Council's Environmental Sustainability and Climate Change Strategy and the forthcoming legislative ban on certain Single Use Plastics, to encourage our employees and citizens to be 'Plastic-Smart' for roll-out over the coming months to further embed desired behaviours.”

As a supplementary question, Councillor Billings referred to the potential for contamination associated with placing biodegradable disposables in recycling bins and asked whether changes would be made to ensure that the effectiveness of the Council's recycling was not adversely affected.

Councillor Cullinane responded by undertaking to ask officers to provide Members with details information on alternative use products and their disposal. The Leader noted that, as a local authority, North Ayrshire had one of the best recycling rates in the country, but improvements could always be made, such as those implemented especially within schools in respect of the colour of bins.

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

“Noting that the Cabinet declared a climate change emergency in June 2019, how many Members of the Administration party now drive an electric vehicle?”

Councillor Cullinane thanked the Member for his question and responded verbally. The Leader advised that, while he would not speak for other Cabinet Members, he did not personally own a car, but did have a bike. Councillor Cullinane concluded his remarks by referring to the type of vehicle owned by the Member himself.

As a supplementary question, Councillor Gallacher asked whether the Leader agreed with him that the cost of electric cars was prohibitive for the majority of people.

Councillor Cullinane responded by asserting that supply and demand was the basis of capitalism and that, with increased demand, electric cars would hopefully become more affordable for working men and women in our communities.

(14) a question by Councillor Glover to the Leader of the Council in the following terms:

“How many NAC staff are employed in community wealth building and what is the annual salary cost?”

Councillor Cullinane thanked the Member for his question and referred to the following written response:

“Community Wealth Building (CWB) is a Council-wide commitment which takes a transformational approach to economic development and aims to create fair and resilient local and regional economies by ensuring wealth and prosperity is generated and contained locally.

The Council’s CWB Strategy was launched in May 2020 and sets out 55 actions aligned across 6 objectives:

- Community Wealth Building Council: We will work across all our services and wider local and regional partners to implement Scotland’s first approach to Community Wealth Building. Looking at how we do things differently and with CWB ambitions in mind
- Procurement: We will use our spend to actively encourage and support a growing, diverse and resilient local business base, and to support our net zero carbon ambitions.
- Fair Employment: We will encourage the creation of fair and meaningful jobs with progression opportunities to unlock the potential of our residents.
- Land and Assets: We will support the wider regeneration of our communities by maximising all of our land and assets including through alternative uses for community and business benefit.
- Financial Power: We will invest locally and encourage regional and national institutions to invest in our communities.
- Plural Ownership of the Economy: We will support the creation and sustainability of a range of business models including SMEs, social enterprise, employee ownership, cooperatives, municipal activity and community enterprises.

A total of 13 CWB posts have been created across services in Economic Development and Regeneration (EDR) and Connected Communities. The staff are committed to progressing the 55 strategy actions and are working in new ways to support local businesses and communities and regenerate our local area. The following 8 posts are funded from existing revenue budgets:

- Community Benefits Officer
- Procurement Development Manager
- Development Manager (Regeneration)
- Regeneration Officers x2
- Community Wealth Building Co-ordinator
- Community Economic Development Officer
- Estates Surveyor Community Wealth Building

The total annualised salary cost (2021/22) to the Council of these roles is £399,276. Another 5 posts have been funded by the Ayrshire Growth Deal. These are:

- Locality Business Advisors x3
- Fair Work Ayrshire Programme Manager
- CWB Fund Programme Manager”

As a supplementary question, Councillor Glover asked whether the Leader regarded his flagship policy as value for money.

Councillor Cullinane responded by expressing the view that spending on CWB was better value for money than some Elected Members and that the approach was about being ambitious as a Council. The Leader noted the number of recent questions to Council about matters such as procurement and vacant or derelict buildings, and suggested that Community Wealth Building could bring longer-term benefits in such areas. Councillor Cullinane further stated that, in his many discussions with local businesses as Leader of the Council, North Ayrshire had been commended as having the best approach to economic development in the country and that he was very proud of the work of the business and CWB teams.

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

“Does the Leader of the Council think it is acceptable, that borrowing against the future income from the Largs Seafront Car Park Fund and using some of the capital from the fund, is the only immediate way to finance the refurbishment of the Seafront Toilets next to the Seafront Car Park in Largs?”

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

“As per previous responses on this matter, Elected Members will be aware that the closure of public toilets was a Council budget decision on 17 February 2016. An amendment was approved to keep open the public toilets on the seafront in Largs with the cost met from increasing fees and charges and from the Largs Car Park Fund.

This is ultimately a Council decision. Any change to the current arrangements would again be a matter for Council and be set within the context of the legal requirement for the Council to deliver a balanced budget, recognising any capital and revenue cost implications and funding.”

As a supplementary question, Councillor Murdoch referring to the refurbishment costs for the Largs seafront public toilets, which he considered excessive, asked the Leader whether he would support exploring other ways of financing and maintaining public toilets across North Ayrshire, in the interests of health, supporting local business and tourism.



Councillor Cullinane responded by suggesting that the Member submit a funding proposal for public toilet provision, for consideration as part of the Council's forthcoming budget-setting process. The Leader advised that the outcome of the Scottish Government's budget was awaited the following day and indicated that, given the high percentage of the Council's funding which came from Scottish Government, this would give the Member an idea of the likely budget context for considering any public toilet provision proposal.

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

"During the full Council Meeting held on Wednesday 8 September 2021, I asked the following question.

Can the Leader of the Council please provide any examples of a North Ayrshire Sole Trader winning a tender for work with NAC through the Community Wealth Building Initiative and can you please provide details of how many North Ayrshire Sole Traders or small businesses with one or two employees are on the tendering list?

Can the Leader of the Council please provide details of what has been done to advertise and encourage North Ayrshire Businesses of all sizes to register as approved contractors with NAC and get involved with the procurement and tendering process at North Ayrshire Council, since I asked the question on the 8 September?"

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

"Since the question to Council on 8 September, our Business Team have recorded 104 instances of local businesses being provided with information relating to Procurement processes. This activity covers information provision on procurement opportunities with NAC and other public sector organisations, direct notification of Quick Quote opportunities with North Ayrshire Council and general information provision regarding the Quick Quote process.

A series of 7 Procurement support sessions have been arranged in local libraries with the first one being held this week in Irvine Library. A planned session at Stevenston Library for 30 November 2021 had to be postponed due to an issue with the Library heating. This session will be re-scheduled following completion of repairs to the heating system.

Further sessions are planned for Kilwinning, Largs, Kilbirnie, Cumbrae and Arran libraries before the end of December 2021. These sessions have been advertised through direct business contact, Councillor update and via the Council's social media channels. Uptake of available appointments has been positive to date.

The sessions cover:

- an overview and sight of the platforms for public service procurement, including Public Contract Scotland (PCS) and Public Contract Scotland Tender (PCST)
- how to register and ensure that your profile is set up correctly, so that alerts are coming through for suitable opportunities for your sector of work
- how to search for public sector opportunities
- understanding the Council's Quick Quote / Tender Process
- or more tailored / individual support arranged where required."

As a supplementary question, Councillor Murdoch noted that, on the list of businesses and sole traders provided to him, almost all related to taxi contracts for schools, and asked whether the Leader thought this was good enough in terms of Community Wealth Building.

Councillor Cullinane responded by referring to the 55 actions within the Community Wealth Building Strategy mentioned in his earlier response and to the annual report on the actions taken over the course of the first year of the strategy. The Leader then referred to the work done to support all business around accessing procurement opportunities. The Leader added that work was also taking place with other anchor institutions to try to increase local spend across North Ayrshire and expressed confidence that procurement activity would look completely different in a year or two's time.

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

"Can the Leader of the Council please provide details of North Ayrshire Council's involvement during the COP 26 events in Glasgow?"

Councillor Cullinane thanked the Member for his question and referred to the following written response:

"North Ayrshire Council COP26 activities:

### **Prior to COP26**

- **NAC, three-phase calendar of local events** to promote COP26 and climate change activities. The programme was linked to the seven themes of our Environmental Sustainability and Climate Change Strategy 2021-2023 and five COP26 campaign themes. It covered inter alia following topics: Adaptation and Resilience; Nature; Energy Transition; Clean Transport and Finance.

During the three-phase campaign the Council:

- Raised awareness around climate change and COP26 by highlighting relevant NAC projects including waste and recycling initiatives, housing sustainability projects, flood management schemes, tree planting strategy and decarbonisation of the NAC fleet.
- Launched the North Ayrshire Environmental Sustainability and Climate Change 2021-2023 (ESCCS 3). The launch event included 4 expert panel speakers discussing green recovery, community climate change/adaptation activities, low carbon technologies and youth response to the climate emergency. The event was very successful with over 3,500 views on Facebook. The link to the event can be found below

<https://www.facebook.com/northayrshireofficial/videos/35888382255579/>

- The final phase of the campaign focused on events and activities held during COP26.
- **Climate Fringe COP26, 'The Importance of Fair Trade in Responding to Climate Change' virtual event held on 22 September 2021:** The Leader of North Ayrshire Council participated in the event organised by North Ayrshire Fair Trade Zone Group and discussed the relationship between fair trade and climate change.
- **NAC, Live Joint Cabinet held on 2 November 2021.** Pupils were invited to discuss issues that affect young people in North Ayrshire. There were 5 interactive themes hosted in breakout rooms.

**Theme 3 focused on Climate Change and COP26.** Young people were asked questions around their role in tackling climate change and what they would like North Ayrshire Council to focus on when tackling climate change. The feedback gathered during the Live Joint Cabinet will help us to shape the school sustainability awareness programme. The Council has a dedicated Sustainability Awareness Officer responsible for delivering lessons on sustainability and climate change matters to classes and eco-committees.

### **During COP26**

- **COP26 Summit, Virtual Exhibition Zone, from 1 to 12 November 2021:** As part of the wider programme of events and networking opportunities, Scottish Enterprise and its partner agencies created an online virtual exhibition zone at the COP26 summit. Over the 12 days of COP26, the exhibition zone formed a key part of the COP26 programme. It acted as a shop window, showcasing innovative Scottish businesses and stakeholder organisations who are leading the way in climate expertise and solutions to investors and business leaders from across the world. North Ayrshire Council participated in this virtual exhibition and promoted local work and climate change activities.

- **Co-operation Live, 'Climate Change and your Council' event held on 3 November 2021:** The Leader of North Ayrshire Council participated in a co-operative Party meeting with other local authorities from across the UK. The Leader had an opportunity to talk about the work North Ayrshire Council have done on moving to net-zero and our approach to addressing climate change.
- **UNISON/TUC COP26, Fringe event held on 8 November 2021:** The Leader of North Ayrshire Council participated in this event and talked about climate change, our work and commitment to achieve net zero carbon target by 2030.
- **COP26 Summit, Scotland's Climate Ambition Zone held on 11 November 2021:** The Chief Executive of North Ayrshire Council and SOLACE Climate Change and Energy Portfolio Lead delivered a presentation on '*Political, Strategic Practical Aspects of Fair Decarbonisation*' at the COP26 Scottish Local Government and Partners Leadership '*Just Transition to Net Zero*' event hosted by Scottish Government."

As a supplementary question, Councillor Murdoch asked, if the Council was going to take COP26 seriously, what action would be taken in terms of fly tipping, littering, dog fouling, organic and chemical discharges and emissions into the atmosphere and coastal waters.

Councillor Cullinane responded by undertaking to have a detailed response provided.

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

"Can the Cabinet Member please provide details of where the additional funding in this year's Roads Budget was spent?"

Councillor Cullinane thanked the Member for his question and referred to the following written response:

"An additional £1m was allocated to the Council's annual roads maintenance investment programme this financial year to help further improve the condition of our network.

The Roads Service adopt an asset management-based approach to road maintenance and undertake condition assessments of all our roads on an annual basis. Condition information is entered into our Roads Asset Management System to determine a long-term investment programme. This approach takes account of road condition, deterioration rates and criteria established to meet Council priorities. This ensures an appropriate prioritisation of works in line with available budgets.

The details of the areas identified for expenditure of the additional £1m funding, through the aforementioned process, are:

LOCATIONS FOR ADDITIONAL £1M 2021-22				CONTRACT COSTS
B7081	Springside	Main Rd, Springhill Terr, Kilmarnock Rd	From roundabout at Towerlands Rd to EAC boundary	£200,000
A71	Irvine	Eastbound	From slip road at Greenwood Interchange to Corsehill Mount Roundabout	£240,000
Unc	Dalry	Wingfaulds Avenue	From derestricted to junction B780	£40,000
B714	Dalry	B714	From Girthill Farm to Yonderhouses	£145,000
Unc	Stevenston	Shore road	Full Length	£28,000
Unc	Irvine	Campsie Way	From Towerlands Road to car park at Kilsyth Walk	£47,000
B781	West Kilbride	B781	From junction C26 to Faulds farm	£110,000
C26	West Kilbride	C26 Kilruskin	Part length	£70,000
Unc	Kilbirnie	Balgray Avenue	Full Length	£20,000
Unc	Kilbirnie	Baillieston Avenue	Full Length	£13,000
Unc	Kilbirnie	Keir Hardie Drive	Full Length	£22,000
Unc	Kilbirnie	Causeyfoot Drive	From junction Keir Hardie Drive to junction Castle Drive (including loop)	£40,000
Unc	Kilbirnie	Borestone Avenue	From Mossend to Camphill junction (half width)	£10,000
Unc	Kilbirnie	Camphill Drive	From junction Borestone Avenue to junction Greenhills	£15,000
				£1,000,000

As a supplementary question, Councillor Murdoch referred to the small number of Largs streets included in the programme and to outstanding resurfacing works required to Haco Street and Kelvin Street in Largs, and asked whether there was any scope to accelerate funding to allow completion of works to these two streets in the current financial year.

Councillor Cullinane responded by referring to the asset management-based approach used to determine road and footways improvements. The Leader advised that works to the two streets mentioned by the Member had been delayed for a variety of reasons but that every effort would be made to facilitate completion of their resurfacing before the end of the financial year.

## **15. Motions**

In terms of Standing Order 13, submitted:

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

"That Council welcomes the publication of the Draft Fourth National Planning Framework (NPF4) which includes Hunterston as a Strategic Asset and in particular the development of "Infrastructure for the generation and storage of electricity from renewables of or exceeding 50 megawatts" and agrees:

- (i) that Planning Officers prepare a detailed response to the consultation for consideration and approval by the Planning Committee; and
- (ii) that the response to the consultation includes the proposal that development of infrastructure for the generation and storage of electricity at Hunterston should include emerging small nuclear reactors subject to appropriate legislation and regulation."

As an amendment, Councillor Hill, seconded by Councillor McTiernan, moved the terms of the motion, subject to the deletion of point (ii).

There followed debate and summing up.

On a division and roll call vote, there voted for the amendment, Councillors Burns, Davidson, Dickson, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, and McTiernan (10) and for the motion, Councillors Barr, Bell, Billings, Cullinane, Easdale, Ferguson, Foster, Gallacher, Gallagher, George, Glover, Marshall, McPhater, Miller, Donald Reid, Stalker, Stephen and Sweeney (18), Councillors McNicol, Murdoch and Donald L. Reid abstaining, and the motion was declared carried.

Having lost connection during part of this item and effectively leaving the meeting for a short time during the presentation of the motion, it was noted that Councillor McNicol took no part in the determination of this matter.

Accordingly, the Council agreed as follows:

"That Council welcomes the publication of the Draft Fourth National Planning Framework (NPF4) which includes Hunterston as a Strategic Asset and in particular the development of "Infrastructure for the generation and storage of electricity from renewables of or exceeding 50 megawatts" and agrees:

- (i) that Planning Officers prepare a detailed response to the consultation for consideration and approval by the Planning Committee; and
  - (ii) that the response to the consultation includes the proposal that development of infrastructure for the generation and storage of electricity at Hunterston should include emerging small nuclear reactors subject to appropriate legislation and regulation."
- (2) a motion proposed by Councillor Billings, seconded by Councillor Ferguson, in the following terms:

"The Scottish Government published its proposals for the licensing scheme for short-term lets on 22nd November 2021, which requires that all short-term lets must be licensed with their local authority. The licensing scheme proposals have been subject of considerable criticism from local authorities, the tourism industry and members of the Scottish parliament, who consider that the costly and burdensome licensing scheme is both unnecessary and has the potential to inflict considerable harm on Scotland's tourism industry. An alternative registration scheme has been proposed by the Association of Scotland's Self-Caterers that would be less costly for providers, less onerous for local authorities to administer, whilst still providing the required health and safety protection. A compulsory registration scheme would achieve the health and safety aims of the licensing scheme but would be less costly for providers and less onerous for North Ayrshire Council to administer.

I, therefore, move that North Ayrshire Council agrees that the Chief Executive writes to the Cabinet Secretary for Social Justice, Housing and Local Government to state that North Ayrshire Council does not agree with the Scottish government's licensing proposals for short-term lets, and that an alternative compulsory registration scheme should be considered."

As an amendment, Councillor Gurney, seconded by Councillor McClung, moved the terms of the motion, subject to the following:

“Replace the text after “The Scottish Government published its proposals for the licensing scheme for short-term lets on 22nd November 2021, which requires that all short-term lets must be licensed with their local authority” with

“This scheme seeks to

- alter the presumptive balance away from favouring the unscrupulous short-term lets of local accommodation by multinational corporations and back towards the families of local people
- mitigate the deleterious effects of local properties being dedicated to holiday rentals rather than serving the long-term accommodation needs of residents
- address the disadvantages caused by the vertiginous rise in house prices to feed this market, effectively pricing out generations of local people from their own towns and villages
- create a basis for long-term, sustainable communities rather than ghost towns

As a council dedicated to supporting the people who live and work in North Ayrshire first and foremost, North Ayrshire Council supports this change.”

Members asked questions of clarification of the movers and seconders of the motion and amendment.

There followed debate and summing up.

On a division and roll call vote, there voted for the amendment, Councillors Bell, Burns, Cullinane, Dickson, Gallagher, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McPhater, McTiernan, Miller, Murdoch, Donald Reid and Sweeney (17) and for the motion, Councillors Barr, Billings, Easdale, Ferguson, Gallacher, George, Glover, Marshall, Stalker and Stephen (10), Councillor Donald L. Reid abstaining, and the amendment was declared carried.

Having lost connection during part of this item and effectively leaving the meeting for a short time, it was noted that Councillor McNicol took no part in the determination of this matter.

Accordingly, the Council agreed as follows:

“The Scottish Government published its proposals for the licensing scheme for short-term lets on 22nd November 2021, which requires that all short-term lets must be licensed with their local authority.

This scheme seeks to:

- alter the presumptive balance away from favouring the unscrupulous short-term lets of local accommodation by multinational corporations and back towards the families of local people



- mitigate the deleterious effects of local properties being dedicated to holiday rentals rather than serving the long-term accommodation needs of residents
- address the disadvantages caused by the vertiginous rise in house prices to feed this market, effectively pricing out generations of local people from their own towns and villages
- create a basis for long-term, sustainable communities rather than ghost towns

As a council dedicated to supporting the people who live and work in North Ayrshire first and foremost, North Ayrshire Council supports this change.”

Councillors Davidson and Foster left the meeting during consideration of this matter.

- (3) a motion proposed by Councillor Dickson, seconded by Councillor Cullinane, in the following terms:

"The Management of Offenders (Scotland) Act 2019 changed the conviction information requirements on all disclosures. Minor offences no longer have to be disclosed for a long period of time, nor do offences that occurred before age 12.

This change in disclosure supports employers to recruit the right person for the job regardless of unrelated convictions thereby releasing people from the poverty trap that many find themselves following a period of being involved in our justice system.

We need leadership in this area of recruiting with conviction, to help narrow inequalities and to support businesses to fill vacancies; the result being we help to sustain our businesses, reduce unemployment; each part contributing to our community wealth building.

Employers often state that they have difficulty in filling vacant posts. They may well have over-looked suitable candidates who have had a conviction. Changing their recruitment outlook could be hugely beneficial to both businesses and applicants. They need confidence to change their practice.

Many seeking employment feel it's a waste of time to apply for jobs because they are convinced their conviction rules them out of any consideration. They need confidence that their application will be objectively considered.

North Ayrshire Council is a big employer with a wide range of jobs requiring a huge range of skills.

We already play a big part in supporting people into employability but just as we supported carers by becoming a Carer Positive employer, so I believe we should, as a key partner in the Community Justice Ayrshire Partnership, become an ambassador to Recruit with Conviction and actively promote the value of our recruiting with conviction.

I therefore propose the following motion:-

“That North Ayrshire Council agrees to become an Ambassador for Recruit with Conviction; will support and promote safe and sustainable employment for people with convictions in our workplace, and further agrees to seek to influence other workplaces”.

There being no amendment, the motion was declared carried.

## **16. Urgent Item**

The Depute Provost agreed that the following item be considered as a matter of urgency due to the timing of the census referred to in the motion.

### **16.1 Motion**

A motion by Councillor Ferguson, seconded by Councillor Marshall, in the following terms:

“That the Council:

- (a) does not participate in the Scottish Government’s 2021/22 Health and Well-being School Census; and
- (b) asks the Chief Executive to write to the Cabinet Secretary for Education and Skills asking them to rethink the explicit nature of questions contained within future Health and Well-being School Censuses.”

As an amendment, Councillor Burns, seconded by Councillor Gallagher, moved the terms of the motion, subject to the following:

“Delete everything after “Council” and add:

- (a) fully participates in the Scottish Government’s 2021/22 Health and Well-being School Census; and, recognising that parents and pupils can opt out
- (b) includes all questions as recommended by stakeholders involved in the development of the questionnaire”

Members asked questions of clarification of the movers and seconders of the motion and amendment. The Head of Service (Education) (Communities and Education) was also invited to respond to a question regarding the anonymity of the questionnaire.

Thereafter, after debate, the movers of the amendment and motion summed up.

On a division and roll call vote, there voted for the amendment, Councillors Bell, Burns, Cullinane, Dickson, Easdale, Gallagher, Gurney, Hill, Larsen, Macaulay, McClung, McPhater, McTiernan, Miller, Murdoch, Donald Reid, Donald I. Reid and Sweeney (18) and for the motion, Councillors Barr, Billings, Ferguson, Gallacher, George, Glover, Marshall, McNicol, Stalker and Stephen (10), Councillor McMaster abstaining, and the amendment was declared carried.

Accordingly, the Council agreed as follows:

- (a) to fully participate in the Scottish Government's 2021/22 Health and Well-being School Census; and, recognising that parents and pupils can opt out;
- (b) to include all questions as recommended by stakeholders involved in the development of the questionnaire."

## **17. Closing Remarks**

In closing the meeting, the Depute Provost took the opportunity to thank Members for their participation and offered his best wishes for the festive season.

The meeting ended at 6.35 p.m.