



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

## **North Ayrshire Council**

A Meeting of North Ayrshire Council will be held in the **Council Chambers, Ground Floor, Cunninghame House, Irvine, KA12 8EE** on **Wednesday, 12 February 2020** at **14:00** to consider the undernoted business.

**1 Apologies**

**2 Declarations of Interest**

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

**3 Previous Minutes**

The accuracy of the Minutes of meeting held on 18 December will be confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973 (copy enclosed).

**4 North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held on 5 December 2019**

Submit report by the Executive Director (Communities) (Interim) on the Minutes of the meeting of the North Ayrshire Community Planning Partnership Board held on 5 December 2019 (copy enclosed).

**5 Provost's Report**

Submit report by the Provost for the period from 9 December 2019 - 2 February 2020 (copy enclosed).

**6 Leader's Report**

Submit report by the Leader of the Council for the period from 9 December 2019 - 2 February 2020 (copy enclosed).

- 7 Minute Volume (issued under separate cover)**  
Submit, for noting, the Minutes of meeting of committees of the Council held in the period 14 June 2019 - 28 January 2020.

- 8 Outside Body Appointment**  
Consider the undernoted nomination to serve on an outside body:-

Outside Body	Position	Nominee
Strathclyde Concessionary Travel Scheme Joint Committee	1 vacancy (main representative) following Cllr Miller's resignation	Cllr Donald Reid

- 9 Audit Scotland Report: Local Government in Scotland: Financial overview 2018/19**  
Submit report by the Executive Director (Finance and Corporate Support) on the findings of the recent Audit Scotland report (copy enclosed).

- 10 Clyde Muirshiel Regional Park**  
Submit report by the Interim Executive Director (Communities) to seek Council's approval to withdraw from the Clyde Muirshiel Minute of Agreement regarding Clyde Muirshiel Regional Park with Renfrewshire Council and Inverclyde Council (copy enclosed).

- 11 Questions**  
In terms of Standing Order 12, submit:-

**(1) a question by Councillor Donald L. Reid to the Cabinet Member for Education in the following terms:**

“There is a level of concern locally by parents of pupils, pupils, staff, and others in the Garnock Valley about some 13 leaks in the main Garnock Campus building which has resulted in recurring ingress of water when it rains heavily resulting one parent contacting me and stating that the building should be closed until all repairs are actioned. Similarly there is also a recurring flooding issue at the rear pupil entrance to the campus. I would ask the Cabinet Member for Education to comment generally on the current situation at Garnock Campus with these important issues and specifically:

1. What steps are being taken to rectify these building defects and the likely time-scale;
2. Are these issues covered by guarantee by the main contractor (Kier Construction) responsible for building the campus and will they rectify the faults or arrange for them to be sorted;
3. If the faults are not now covered by the main contractor (Kier Construction), who is responsible for carrying out repairs; and
4. What is the estimated cost of repairs for the 13 leaks and the rear door flooding issue and who will ultimately meet the costs involved.”

**(2) a question by Councillor Donald L. Reid to the Cabinet Member for Place in the following terms:**

“In view of the ongoing major road engineering works at Barkip (A737) and the constant use of heavy construction traffic which has been using the now badly potholed Auchengree Road over the past 18 months, can the Cabinet Member with responsibility for Roads advise:

1. if the main contractors for the Barkip Realignment Project - which has been an excellent and welcome initiative in the Garnock Valley - will be paying for the NAC maintained and heavily potholed Auchengree road between its junction with the A777 at Longbar and where it joins the A737 at Highfield, to be brought back to a decent standard and, if so, when will this happen; and
2. will there be an assessment by NAC Roads Department of minor roads surrounding Barkip to gauge the negative impact of heavy construction traffic from the Den realignment project on these minor roads and if there are identified issues, will the main contractor be encouraged to accordingly make good all potholes and verge encroachments.”

**(3) a question by Councillor Burns to the Cabinet Member for Health and Social Care in the following terms:**

“What actions will be taken by the council and/or the HSCP as a result of the recent drugs summit held at Saltcoats Town Hall?”

**(4) a question by Councillor Marshall to the Cabinet Member for the Economy in the following terms:**

“Gourock has long been the Port of Refuge when the Arran Ferry could not dock at Ardrossan. In appendix A of schedule 5 of the 2016 Clyde and Hebrides Ferry Services contract (C&HRS 2016), it states that ‘ Gourock is included in our solution as an important port of refuge for some of the busiest routes on the CHFS network’. However, Gourock is not available as a port of refuge due to the reported lack of maintenance by Caledonian Marine Limited ( CMAL) on the link span.

In addition, the second pier (Irish berth) at Ardrossan is also out of action due to lack of maintenance on the link span.

Both Gourock and the Irish Berth were used when certain weather conditions meant that the main Arran berth at Ardrossan was not usable. The only option Calmac has now is to cancel the service. One must also remember that alternative ports and berths are also an integral part of the safety policies should an emergency happen at sea (1.3.6 C&HFS 2016).

Does the Member agree that this is an unacceptable situation that compromises both the reliability of the Arran ferry service and the safety of passengers in the event of an emergency? Will he also agree that the Council will write to the Cabinet Secretary for Transport stating that this is an unacceptable situation and that immediate action is taken to provide the Arran ferry service with appropriate ports of refuge?”

**(5) a question by Councillor Donald L. Reid to the Leader of the Council in the following terms:**

“It is my belief that Councils should be able to charge a fee for answering Freedom of Information requests. Charging for some requests would deter individuals from ‘misusing’ FOI regulations for their personal benefit. Whilst members might support the overall aim of FOI in ensuring councils and other public bodies are open and accountable, current legislation makes it too easy for people to make requests that might not serve the public interest including ‘serial requesters’ who make frivolous and vexatious requests placing additional burdens on council information officers. Whilst it is likely that the majority of requests are submitted within the spirit of the legislation, it has been suggested that some of the original policy intentions have been lost because of the way the act is being used by certain individuals.

Against that backdrop can the Leader clarify:

1. How many FOI requests were made to NAC in 2019 or earlier period for which figures are readily available?
2. The number of serial or vexatious requests received”

**(6) a question by Councillor Gallacher to the Cabinet Member for the Economy in the following terms:**

“At the Rural Economy and Connectivity Committee earlier this month it became clear that after 4 years the basic design of the Glen Sannox ferry is still not complete. It was stated that 95% of the stage two design sign offs have not been completed, and that these would normally expect to be signed off within the first 6 to 9 months of a contract. It was clear listening to this initial inquiry meeting that there was a lack of coordination between the various parties involved that led to conflicts, delays, and mistakes.

The current new ferries are less than half built but the estimated cost of completion at £110 million is more than the original projected costs for the two ferries. This is an obvious waste of public money. Given that there is another privately run ferry service in Scotland that has procured a new environmentally efficient ferry in a 28-month timescale at a cost of £14 million, does the Member agree that serious consideration should be given to starting again from scratch?”

**(7) a question by Councillor Ferguson to Councillor McMaster as the Council's representative on the Arran Ferry Committee, in the following terms:**

“When Bute’s Wemyss Bay ferry service is cancelled travellers have the option to go via the Colintrave route. As this involves a 63 mile drive, Calmac offers compensation to offset the additional expense. However, if the Arran Brodick service is cancelled and travellers can still use the Lochranza route, even though this involves a 130 mile journey no similar compensation is offered.

Does the Member agree that this unfairly discriminates against Arran, and will she work with Calmac and the Scottish Government to get similar compensation arrangements for Arran?”

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

“Will the Leader of the Council inform Members of all interventions by the Council to improve the three Major North Ayrshire Town Centres of Irvine, Saltcoats and Largs between May 2017 until present? Will he also provide details of all costs associated with each specific intervention?”

**(9) a question by Councillor Gurney to the Leader of the Council in the following terms:**

"In December 2019 the Labour administration issued a statement to local press stating that, "Last year, Police Scotland were asked to carry out an investigation into allegations made in 'The Only Game In Town' documentary. Following this investigation, the Council was again cleared of any wrongdoing."

In fact, last year Police Scotland declined to carry out an investigation into allegations made in 'The Only Game In Town'. There was no police investigation and, therefore, the Council was not cleared of any wrongdoing. Any potential criminality may not lie with North Ayrshire Council, but until there is a full and thorough Police investigation into the North Ayrshire Council Schools PPP procurement process approved by the Labour administration, we will not know the truth.

Why was this misleading statement issued and would the Leader care to apologise for doing so?"

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

"When CalMac Ferries Ltd was awarded the 8 year contract to provide ferry services to the western isles, the company published a glossy brochure in which it listed the 5 key objectives for Scottish transport and the company's commitment to contributing to these objectives (see below for reference). Reading these objectives now it is almost laughable how poorly the current Arran ferry service fails to meet them. We are half-way through the 8 years and it is time to consider the options for the next contract.

Within the Clyde there is a ferry operator that provides an efficient, reliable, and frequent service across the upper Clyde from McInroy's Point to Hunter's Quay. Western Ferries, unlike CalMac, receives no public sector subsidy and does not benefit from the Road Equivalent Tariff. (RET). Does the Member agree that we should start engaging with Western Ferries to attempt to provide the Arran people with a reliable service?"

**(11) a question by Councillor Stephen to the Cabinet Member for the Economy in the following terms:**

"Cancellations of the ferry service causes delays, inconvenience and financial loss to passengers. In addition there is a commercial financial cost to Arran as a whole when a ferry is delayed or cancelled but there is no agreed method to quantify these costs. Without this information the Scottish government does not appreciate the hardship that ferry issues cause and the impact delays and cancellations have on the island's economy.

Is the Council working with Arran businesses to quantify the losses incurred by ferry cancellations, and if so, will make the data public to ensure that the full cost of ferry cancellations is known?"

**(12) a question by Councillor Glover to the Cabinet Member for the Economy in the following terms:**

"The Council has been updated on the Ardrossan Harbour redevelopment. The costs for redevelopment have grown from £8 million pounds to around £35 million. One may remember that originally we were assured that the new ferry was designed to handle the constraints of Ardrossan with minimal modification. However, this became clear that this was not the case and that without substantial changes to the Port the service reliability would be adversely affected. The current proposed work was agreed after computer modelling of the proposed ferry.

Given that there is so much of the Glen Sannox that is still not been designed, what assurances do you have that the computer modelling was correct and that the proposed work will actually increase the reliability of Ardrossan?"

**(13) a question by Councillor Marshall to the Cabinet Member for Health and Social Care in the following terms:**

"I am aware of recent cases within North Ayrshire where hospital patients, including one terminally ill patient, cannot access a care at home package. This delays their hospital release for up to two months.

Since the weekly cost for a hospital patient is ca.£2800 and for a care at home package ca £220 , the provision of a package would provide a saving to the public purse of in excess of £20,000.

Can the Member:

- a. Explain why my constituent cannot access a package and thereby release a hospital bed
- b. State the current numbers of persons on waiting lists for a Care home place, a Care at home package and SDS and the average waiting times for each
- c. Estimate the additional budget that would be needed to ensure that all these waiting lists are eliminated
- d. State the number of North Ayrshire residents that are currently unable to be discharged from hospital due to lack of a care packages."

**(14) a question by Councillor George to Councillor McMaster as the Council's representative on the Arran Ferry Committee, in the following terms:**

"CMAL has built a new ferry terminal at Brodick at a cost of £33 million. After nearly two years of operation it has become very clear that when there are mild easterly winds the ferries are cancelled. This was not a feature seen with the old ferry terminal. What pressure can the Arran Ferry Committee put on CMAL to remedy these obvious design faults?"

**(15) a question by Councillor Murdoch to the Cabinet Member for the Economy in the following terms:**

“At the Council meeting held on Wednesday 25<sup>th</sup> September 2019 I asked if anyone at North Ayrshire Council had enquired either verbally or in writing regarding the availability or procurement of between 70 & 100,000 tonnes of dredged sand from the sea bed at Hunterston and if so what was it to be used for?

If no one at NAC enquired verbally or in writing what was NAC’s involvement in the proposals for the dredged sand at Hunterston?”

**12 Motion**

In terms of Standing Order 13, submit:-

**(1) a motion by Councillor Murdoch, seconded by Councillor Hill, in the following terms:**

“Council notes that EDF have recommended that the boundary of the Detailed Emergency Planning Zone (DEPZ) around Hunterston B shall be 2km from the plant. Within the DEPZ, Iodine tablets are kept at home by all residents. This compares with the situation in France, where those living within 20km of a nuclear power station are offered the option of keeping iodine tablets at home. To enable all Members to be involved in this important decision, Council agrees that the determination of the DEPZ be remitted to the next Council”

**13 Urgent Items**

Any other items which the Provost considers to be urgent.



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If you have any queries regarding this and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact [committeeservices@north-ayrshire.gov.uk](mailto:committeeservices@north-ayrshire.gov.uk).

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## North Ayrshire Council Sederunt

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Ian Clarkson (Provost)  
Robert Barr (Depute Provost)  
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  
Jean McClung  
Ellen McMaster  
Ronnie McNicol  
Louise McPhater  
Davina McTiernan  
Tom Marshall  
Jimmy Miller  
Jim Montgomerie  
Ian Murdoch  
Donald Reid  
Donald L Reid  
Angela Stephen  
John Sweeney

Chair:

Apologies:

Attending:

**IRVINE, 18 December 2019** - At a Meeting of North Ayrshire Council at 2.00 p.m.

**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, Ronnie McNicol, Louise McPhater, Davina McTiernan, Jimmy Miller, Jim Montgomerie, Ian Murdoch, Donald Reid, Donald L. Reid and John Sweeney.

**In Attendance**

C. Hatton, Chief Executive; L. Friel, Executive Director and M. Boyd, Head of Service (Financial and Customer Services) (Finance and Corporate Support); S. Brown, Director (Health and Social Care Partnership); K. Yeomans, Director (Growth and Investment); R. McCutcheon, Executive Director and Y. Baulk, Head of Service (Physical Environment) (Place); A. Sutton, Interim Executive Director (Communities) (Communities); and A. Fraser, Head of Democratic Services, M. McColm, Communications Manager; A. Little and D. McCaw, Committee Services Officers and M. Anderson, Committee and Member Services Manager (Chief Executive's Service).

**Chair**

Provost Clarkson in the Chair.

**Apologies**

Ellen McMaster and Angela Stephen.

**1. Provost's Remarks**

The Provost welcomed those present to the meeting and dealt with preliminary matters, which included an announcement that the Council meeting would be webcast.

**2. Apologies**

The 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 Meeting held on 13 November 2019 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 4 November – 8 December 2019.

The Provost highlighted the following elements of his written report:

- the recent North Ayrshire Achieves event to recognise the excellent work carried out by Council staff;
- the launch of the White Ribbon Campaign on 25 November 2019 aimed at ending men's violence against women and girls;
- attendance at a number of local events, including the St Andrew's Night Concert hosted by Irvine Lasses Burns Club, the Caring Trees project at the Portal hosted by Irvine Seagate Rotary, the switch-on of Irvine's Christmas Lights and the Editing Roberts Burns for the 21st Century event hosted by Glasgow University and Irvine Burns Club;
- attendance at a number of events outwith North Ayrshire, including a reception to mark the assumption of office of the new Consul General of China in Edinburgh, the 5<sup>th</sup> Annual St. Andrew's Day Conga at Hampden Park, Glasgow and the 21-Gun Royal salute at Stirling Castle to mark the birthday of HRH Prince Charles, Duke of Rothesay;
- the recent Cash for Kids Christmas lunch at Ayr Racecourse; and
- the annual festive concert in St Peters Church, Ardrossan on 8 December 2019.

The Provost congratulated Councillor Montgomerie on completing 16 marathons in 16 days in aid of the White Ribbon Campaign.

The Provost also referred to the sad passing of former MP David Lambie and, on behalf of the Council, extended his heartfelt condolences to family and friends.

The Provost concluded his remarks by wishing those present a very merry Christmas and a happy New Year, and by extending an invitation to join him for festive refreshments following the meeting.

Noted.

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

Submitted report by the Leader of the Council for the period from 6 September – 3 November 2019.

Noted.

## **7. Council Minute Volume**

Submitted for noting, the Minutes of meetings of committees of the Council held in the period 9 September – 4 December 2019.

Noted.

## **10. Committee Appointment**

The Head of Democratic Services referred to a vacancy in respect of the position of Vice Chair of the Police and Fire and Rescue Committee and invited the Council to consider a nomination, duly proposed and seconded, which had been submitted in favour of Councillor Miller.

There being no amendment, the Council agreed to appoint Councillor Miller as Vice Chair of the Police and Fire and Rescue Committee.

## **11. Financial Outlook 2021/22 to 2022/23**

Submitted a report by the Executive Director (Finance and Corporate Support) on 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 graph at Section 2.3 of the report and whether the reduction in revenue funding made to local government by the Scottish Government was greater than the budget cuts imposed by the UK Government on the Scottish Government itself;
- if any work had been done to compare local government budget cuts in Scotland with those in England and Wales;
- whether any additional funding had come to North Ayrshire as a result of budget decisions made by the Scottish Government;
- the average Council Tax charge in Scotland being lower in Scotland than in England;
- the total funding gap (between core grant received and the level of funding required) in period between 2009/10 and 2019/20;
- whether the removal of Police and Fire Service funding from the local government financial settlement approximately six years ago had made a difference to funding levels;
- the basis of the assumptions made about next year's financial settlement (Section 3.5 of the report); and
- the annual repayment costs associated with the construction of the four schools built in North Ayrshire in 2007 under PPP.

The Head of Service (Financial and Customer Services) undertook to provide Members with more information on (i) the extent of cuts to local government funding in England and Wales compared with those in Scotland, (ii) additional or ringfenced funding provided to North Ayrshire Council arising as a result of Scottish Government initiatives, (iii) the average Council Tax charge in Scotland compared with the position in England and Wales and (iv) the annual repayment costs associated with four PPP schools in North Ayrshire.

The Council agreed to note (i) the potential scale of the financial challenge which the Council faced over the next 3 years; and (ii) that proposals be brought forward to set a balanced budget for 2020/21 and beyond.

## **12. Housing Revenue Account (HRA) Capital Investment Programme, Revenue Budget and Rent Levels for 2020/21**

Submitted report by the Executive Director (Place) on the proposed HRA capital investment programme and revenue budget for 2020/21 and the consequential rent levels. Appendices 1 and 2 to the report set out the draft HRA capital plan and draft HRA revenue budget 2020/21, respectively. The results of the rent consultation exercise were summarised at Appendix 3.

Members asked questions and received clarification in respect of:

- any future plans to engage with Council tenants on tenant-led budgeting;
- the rent consultation exercise with tenants and whether any element of it had been undertaken electronically;
- the current level of Council tenant rent arrears and whether the figure of 3.34% was likely to be bettered in future years; and
- the positive face-to-face feedback obtained by Elected Members in visiting Council housing complexes.

The Provost, on behalf of the Council, echoed positive comments made by Councillor Donald L. Reid in relation to the high standard of service provided by staff within the Council's Housing Service.

The Council agreed to (a) approve the HRA capital investment programme for 2020/21, as detailed in Appendix 1; (b) approve the HRA revenue budget for 2020/21, as detailed in Appendix 2; (c) approve a rent increase of 2.99% in 2020/21 for Council houses, garage sites, lock-ups and sheltered housing service charges; and (d) note the indicative rent increases of 2.50% for 2021/22 and 2.50% for 2022/23.

## **13. Ardrossan Harbour Redevelopment**

Submitted update report by the Director (Growth and Investment) on the proposed redevelopment of Ardrossan Harbour. Appendix 1 to the report illustrated the preferred option for realignment of the Arran berth. Appendix 2 set out the temporary works package, and the draft lease area was shown in Appendix 3.

The Director (Growth and Investment) provided a verbal update on the positive outcome of her meeting with Transport Scotland on 17 December 2019 and plans for a further meeting early in January 2020.

Members asked questions and received clarification in respect of:

- the anticipation completion date of the harbour project;
- whether the Arran Ferry Action Group would be included in future consultation;
- plans for the lease to revert to Peel Ports after a period of 30 years and whether this would result in a lost opportunity in terms of ongoing income generation;
- assurances that consultation with communities on Arran and in Ardrossan would be undertaken on a genuine, fair and open basis; and
- whether the proposed letter to the Minister for Energy, Connectivity and the Islands would be written by the Chief Executive or the Leader on behalf of the Council.

The Council agreed:

- (a) to note (i) the identification of a preferred option for the reconfiguration of Ardrossan harbour, as set out at Appendix 1 to the report, (ii) the need for a decision by the Transport Scotland Board on the financial investment package required to allow the project to proceed and (iii) that the Council's investment in the project will be funded through revenue from the car park and terminal building and secured through a lease between the Council and Peel Ports Group; and
- (b) to write to the Minister for Energy, Connectivity and the Islands to stress the need for a decision by the Transport Scotland Board in January to allow the main construction works contract to commence in Autumn 2020.

## **14. Questions**

In terms of Standing Order 12, submitted:

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

“Noting that future economic growth and employment generation in North Ayrshire depends on a well-educated workforce, what impact does the steady decline in PISA scores in Mathematics in Scotland, over at least the last 10 years, have on future prospects for young people in North Ayrshire.”

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

“The details of performance in the PISA survey are not available at local authority level, so it is not possible to directly connect the PISA performance to the young people of North Ayrshire.

The performance data that we do hold for our young people shows a broadly improving picture in mathematics in North Ayrshire. The recently published Achievement of Curriculum for Excellence Levels data (December 2019) shows that the proportion of learners in our primary and secondary schools who achieved the expected level in mathematics has increased since 2016. This will be reported to Cabinet along with the next set of SQA attainment at a future Cabinet meeting in the new year.

Similarly, in the senior phase, the proportion of pupils who left school in 2018/19 with a qualification in mathematics at SCQF\* Level 4 or SCQF Level 5 was either maintained or improved in comparison with previous years. The performance at SCQF Level 6 has been maintained over the last 3 years and is slightly higher than the virtual comparator. This positive trend is included in the School Attainment Results 2018 paper, which was submitted to Cabinet on 14 May 2019.

Despite the improving picture of attainment in mathematics in North Ayrshire, there is still scope for further improvement. The education service is committed to securing further improvements to pupil outcomes across all subject areas, including mathematics. That is why the service is working closely this year with colleagues from Education Scotland to co-design specific actions which focus in on improving outcomes in mathematics and numeracy, building on the already successful impact of our Professional Learning Academy.

Attainment and achievement must be seen in terms of the totality of the curriculum, and not only through the lens of a single subject area. The May 2019 Cabinet paper shows a positive trend of attainment over time across a range of qualifications and levels in North Ayrshire.

A focus on developing a well-educated workforce and improving the future prospects of our young people in North Ayrshire remain our top priorities. The improving picture of attainment over time and the fact that almost 96% of our young people left school to go on to a positive destination last year are strong indicators of positive progress in this regard."

*\*SCQF = Scottish Credit and Qualifications Framework*

Reference: equivalents  
Level 4 = National 4  
Level 5 = National 5  
Level 6 = Higher  
Level 7 = Advanced Higher

As a supplementary question, Councillor Marshall referred to a decline in the performance of the highest achieving pupils and asked whether the Cabinet Member was sure that the reduction in the attainment gap in North Ayrshire had not been at the expense of the brightest pupils.

Councillor Bell responded by referring to the continued rise in the literacy and numeracy results in North Ayrshire, which exceeded the national figures and those of comparator authorities. The Cabinet Member then outlined the key elements required to raise attainment, namely, good teachers teaching, engaged learners learning, parents and carers caring and no further cuts to Council budgets this year.



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

“At the Full Council Meeting held on Wednesday 25<sup>th</sup> September 2019 I asked the following question:

When considering the original (EIA) screening and planning applications in 2017/2018 and the second (EIA) screening in 2019, what tide lines did NAC use as part of their determination? Was it means high water springs or means low water springs?

In his answer the Chair of Planning confirmed that the Legal Cadastre was the High Water Mark and I quote, “Planning Permission and consequential EIA Screenings would be required for works above the High Water Mark and below that mark would be the responsibility of Marine Scotland.”

Can the Chair of Planning please confirm that the answer he gave was the correct answer?”

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

“I welcome the opportunity to clarify the position. The concept of a Legal Cadastre is not relevant as a Cadastre is a register of land ownership, similar to the Scottish Land Register or Register of Sasines. What we should be talking about is the extent of the respective jurisdictions of the Council as planning authority and Marine Scotland. In the area between high and low water mark there is an overlap between the jurisdiction of Marine Scotland and the Council, as Planning Authority. If development is proposed in that area, both planning permission from the Council and a marine licence from Marine Scotland are likely to be required.”

As a supplementary question, Councillor Murdoch asked for confirmation that the Planning Authority’s jurisdiction extended to current low water springs and not to that of Ordnance Survey. He asked if the decision to grant planning permission without an EIA had been made without due consideration of tens of thousands of square metres of inter-tidal land, effectively beach, which had the potential to impact on the SSSI.

Councillor Marshall responded by advising that the Planning Committee’s jurisdiction extended to low water and that of Marine Scotland to high water, meaning that there was an overlap. He indicated that the Council consulted with Marine Scotland and vice versa. In terms of the EIA, Councillor Marshall advised that it was his understanding this was done down to the low water mark.

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

“To ask the Leader of the Council what his Administration’s position is on Rates Reliefs for businesses.”

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

“Non-domestic rates (NDR) are paid into a national pool administered by the Scottish Government and redistributed to Local Authorities based on an estimate of the amount of business rates the Council will collect. The risk of any shortfall in the level of NDR collected lies with the Scottish Government.

The gross rates bill for North Ayrshire in 2019/20 is £56m. The total value of reliefs anticipated in 2019/20 is £13.6m, of which £170,000 is funded by the Council.”

As a supplementary question, Councillor Brahim asked for the Leader’s views on the Non-Domestic Rates Bill to delegate the administration of rates relief to Councils.

On a point of order, Councillor Hill, requested, and received, clarification in respect of the amount of time permitted for a Member to ask their supplementary question in terms of Standing Orders.

Councillor Cullinane responded by expressing the view that devolving powers to local authorities in relation to rates relief would operate in a similar way to devolved powers around a workplace parking levy or a tourist tax, with Councils able to take local decisions based on local circumstances.

(4) a question by Councillor McNicol to the Cabinet Member for Place in the following terms:

“According to an article in the Irvine Times edition dated 28th November 2019, it stated that the Irvine Special Events Forum were ‘promising a Sea of Lights through the High Street’ after having been awarded £30,000 for the Big Event.

Will the Portfolio Holder for Place inform Members from which fund the £30,000 was granted and what the monies were spent on? Will he also inform Members what the Council’s budget is for Decorative Lightings, for year 2019/2020, and what is the likely out-turn?”

Councillor McNicol also took the opportunity, on behalf of local groups, to extend his thanks to staff within Building Services and Streetscene to their assistance in erecting festive lighting within the community.

Councillor Gallagher, Cabinet Member for the Economy, thanked the Member for his question and responded by referring to the following written response:

“Irvine Special Events spent £25,049.34 on the Irvine Christmas lights this year. The group received £12,500 from the Town Centre Fund and £12,500 from the Community Development budget.

The breakdown of the spend on the Irvine lights has been made available and totalled £25,049.34.

The Council's budget for erecting and dismantling festive lights for local communities is £38,000 and is held within Streetscene. The works are carried out by Building Services.

Council employees across a number of services including Building Services, Roads, Streetscene and Connected Communities also provide significant support to local communities to assist in festive lighting displays and costs are met from within existing resources. Support for lights and switch-on events is also provided through advice to groups to access local grants and external funding.

In addition, Beith and Dalry have each been allocated £10,000 from the Town Centre Fund for their Christmas lights display in 2020."

Councillor Gallagher concluded his response by referring to a variety of funding sources to which groups from the Three Towns could similarly make funding applications.

As a supplementary question, Councillor McNicol referred to a CIF application made by the Irvine Christmas lights group to the Irvine Locality Partnership, asking why this application was not then considered by the Cabinet and why a similar application within the Three Towns was deemed not to meet the CIF criteria.

Councillor Gallagher responded by reiterating that the funding for the Irvine lights did not come from the Community Investment Fund and suggesting that groups within the Three Towns could in future make applications for suitable grant funding.

#### **14. Motion**

In terms of Standing Order 13, submitted:

- (1) a motion by Councillor Dickson, seconded by Councillor McMaster, in the following terms:

"On 23<sup>rd</sup> February 2017, East Ayrshire Council presented a position paper on prostitution to their council that they wished to declare their view that prostitution as a form of commercial exploitation is a form of Violence Against Women and Girls and advocates a 'challenge demand' approach.

The report was backed with research evidence on prostitution, the different approaches taken around the world and an analysis of what works, endorsed by the Scottish Government and National Violence Against Women and Girls Network.

They not only endorsed that position but instructed clear communication to their workforce that support for prostitution, in any form, is unacceptable.

Since then NAVAWP & SAVAWP have also signed up to this statement and all 3 Violence Against Women Partnerships in Ayrshire have adopted the approach of supporting women to leave prostitution, and advocating for the decriminalisation of those selling sex, and to move to 'challenge demand', i.e move to criminalise the buyers of sex (on/off street: online).

This approach is fully supported by the Community Justice Ayrshire Board.

At the Safer North Ayrshire Partnership, the NAVAWP requested a similar endorsement from North Ayrshire Council. It is believed to do so would strengthen the knowledge base and incorporate the approach more widely via our staff, policies and governance.

I believe that it has been an oversight to not have endorsed this statement sooner.

The position statement clearly outlines that the root cause of prostitution is gender inequality. Narrowing inequalities is a key plank in the Council's Strategic Plan.

The approach and supporting work is consistent with other work undertaken by the NAVAWPs.

And this is a priority area to reduce harm, improve safety, reduce trauma, and is positively promoted by Cllr Jim Montgomerie as our White Ribbon Ambassador.

I therefore call for the Council to

- (1) endorse the position statement on prostitution;
- (2) request that Directors and Heads of Service ensure that all council policies are consistent with this position statement;
- (3) request that Directors and Heads of Service promote the position statement to all staff, making clear that support for prostitution in any form is unacceptable, and that staff should work with women using a harm reduction approach and help them to exit prostitution safely when they feel ready to do so;
- (4) cascade this message to partner organisations, particularly those where contractual relationships are in place; and
- (5) that this position statement, developed on a multi-agency basis, also be reported to the NACPP."

The Council was invited to note the supporting documentation which had been published in respect of the motion.

As an amendment, Councillor Billings, seconded by Councillor McNicol, moved that the Council approve the terms of the motion, subject to the amendment of point (3) to read as follows:

“Request that Directors and Heads of Service promote the position statement to all staff, making clear that support for prostitution in any form is unacceptable, and that staff should work with any person involved in prostitution using a harm reduction approach and help them to exit prostitution safely when they feel ready to do so.”

In terms of Standing Order 14.5, the mover and seconder of the motion agreed to amend their motion to reflect the terms of the amendment. The motion, as amended, became the substantive motion. There being no further amendment, the substantive motion was declared carried.

(2) a motion by Councillor Ferguson, seconded by Councillor Marshall, in the following terms:

“That Council is to be congratulated on formal adoption of LDP2, in particular page 23 which continues our support for large- and small- scale power generation at Hunterston.

That Council supports a small modular nuclear reactor, which will replace the current Hunterston B station when it enters decommissioning thereby protecting the nuclear industry and professional workforce in Scotland.

That Council writes to Paul Wheelhouse, MSP, and Minister for Energy, Connectivity and the Islands to ask what work has been undertaken to ensure that advanced nuclear technologies are being considered for Hunterston, in line with the recommendations of the Scottish Government Energy Policy document produced in 2018.”

As an amendment, Councillor Gurney, seconded by Councillor Hill, moved as follows:

“That Council:

- re-iterates our declaration of climate emergency
- understands the need for a stable, long-term and affordable energy solution
- notes that Scotland has a net energy surplus, exporting 28.9% of the energy we generate
- further notes that renewable energy makes up 74% of energy consumption
- celebrates the fact that investment in renewables means that we create 25% of the UK's renewables
- recognises that Scotland has 25% of the EU's estimated total capacity for renewables
- supports the aim of 100% energy creation from renewable sources
- marks the success in reaching this goal on several occasions in 2019
- understands the need to fully explore new technologies
- mourns the inability of the nuclear sector to create new, safe methods of production
- notes the ongoing disaster that is the proposed Hinkley Point nuclear power station where a conglomerate of French and Chinese firms are trying to build a new, untested type of nuclear station

- further notes that the costs for this power station have continued to rise, with construction estimates increasing by £2.5 billion, more than 10%, in less than four years
- deplores the fact that this will make any electricity produced the most expensive in the UK
- wonders why nuclear power is subsidised by the consumer
- deplores the effect this extra cost will have on our citizens, many of whom already experience fuel poverty
- is shocked to note that these calculated costs exclude decommissioning costs that remain unknowable
- notes the safety implications of new nuclear power
- notes the ongoing costs for the clean-up of Fukushima. £100 billion so far with costs expected to exceed £300 billion

Taking these facts into account Council instructs the Chief Executive to write to the Scottish Government reiterating the potential for Hunterston to become a global centre for clean, renewable energy production boasting excellent transport facilities, superb interconnect availability and a large, highly-trained and innovative workforce ready and able to take on new challenges.”

Following questions, debate and summing up, there voted for the amendment 10 and for the motion 15, and the motion was declared carried.

The meeting ended at 3.55 p.m.

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**NORTH AYRSHIRE COUNCIL**

**12 February 2020**

**North Ayrshire Council**

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**Title:** **North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held on 5 December 2019**

**Purpose:** To submit the Minutes of the meeting of the North Ayrshire Community Planning Partnership Board held on 5 December 2019.

**Recommendation:** That the Council notes the Minutes contained in Appendix 1.

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**1. Executive Summary**

- 1.1 It was previously agreed that the Minutes of the Community Planning Partnership (CPP) Board be submitted to North Ayrshire Council for information. The key matters arising from the minutes have been highlighted for the attention of Council and are detailed in Section 2.1.

**2. Background**

- 2.1 Minutes of the meeting of the CPP Board held on 5 December 2019 are appended. Particular matters for the Council's attention include the following: -

**Agenda Item 3**

CPP partners received a presentation on Scottish Enterprise's Strategic Framework and discussed how this aligns with the work of the wider partnership.

**Agenda Item 4**

There was an input on the early adopter work underway in relation to Public Health priority 6 relating to diet and healthy weight. Partners heard about the close partnership working between North Ayrshire Council and NHS Ayrshire and Arran in leading this work, as well as the links with wider partners.

**Agenda Item 6**

Attendees split into groups and participated in workshops which focused on "Step Change" for the Community Planning Partnership, which focuses on improving how we work together, and Service User Engagement, learning from work undertaken with Community

Justice Ayrshire. The Board agreed the recommended initial areas of focus for the Step Change work.

### 3. Proposals

3.1 That the Council notes the Minutes contained in Appendix 1.

### 4. Implications

<b>Financial:</b>	There are no financial implications arising from this report.
<b>Human Resources:</b>	There are no human resource implications arising from this report.
<b>Legal:</b>	There are no legal implications arising from this report.
<b>Equality: Children and Young People:</b>	There are no implications relating to equality or children and young people arising from this report.
<b>Environmental &amp; Sustainability:</b>	There are no environmental implications arising from this report.
<b>Key Priorities:</b>	The CPP activities detailed within this report support the Local Outcomes Improvement Plan.
<b>Community Benefits:</b>	There are no community benefit implications arising from this report.

### 5. Consultation

5.1 No consultation was required.

Insert Director's electronic signature when final version approved  
**Audrey Sutton**  
**Interim Executive Director, Communities**

For further information please contact **Morna Rae, Senior Manager, Policy, Performance and Community Planning** on **01294 324177**.

### Background Papers

N/A



## **Community Planning Partnership Board**

Thursday 5 December 2019 at 11.00 am  
Fullarton Connexions



### **Present**

#### **North Ayrshire Council**

Alex Gallagher, Elected Member  
Tony Gurney, Elected Member  
Craig Hatton, Chief Executive

#### **NHS Ayrshire & Arran**

Martin Cheyne, Chairman (**Chair**)  
John Burns, Chief Executive  
Lynne McNiven, Interim Director (Public Health)

#### **Department of Work and Pensions**

Rosie Lambert, Customer Services Team Leader (*Sub for Audrey McGee*)

#### **Police Scotland**

Superintendent Stuart McGregor

#### **Scottish Enterprise**

Mark Newlands, Head of Partnerships

#### **Scottish Fire and Rescue**

Ian McMeekin, Area Manager

#### **Strathclyde Partnership for Transport**

Allan Comrie, Senior Transport Planner

### **In Attendance**

Morna Rae (NAC), Audrey Sutton (NAC), Rhona Arthur (NAC), Jennifer McGee (NAC), Lynne Prout (NAC)

### **Apologies**

Cllr Joe Cullinane, Cllr John Bell, Cllr Marie Burns, Cllr Scott Davidson, Cllr Ellen McMaster, Cllr Robert Foster (NAC), Katie Hutton (SDS), Michael Breen (Ayrshire College) Audrey McGee (DWP), Stephen Brown (HSCP), Sam Anson (SG), Vicki Yuill (TSI), Mark Hargreaves (Police Scotland), Ashley Pringle (KA Leisure),

#### **1. Welcome and Apologies**

The Chair welcomed everyone to the meeting and apologies were noted.

#### **2. Minute of the Previous Meeting and Action Note**

The minutes of the previous meeting were approved, and the action note was discussed.

### **3. Scottish Enterprise Strategic Framework**

Mark Newlands delivered a presentation to the Board on the work of Scottish Enterprise's new Strategic Framework.

Mark Highlighted that Scottish Enterprise (SE) remains Scotland's national economic development agency. SE will now have a stronger focus on creating and protecting quality jobs which gives people opportunity, security, fulfilment and respect, and nurtures shared wealth and collective wellbeing. Making job-related grants contingent on fair work practices, including job security and payment of the real living wage. SE are also redesigning their approach to business support and relationship management so that there are no barriers to any business - regardless of size, sector or location.

Another focus for SE will be how do they attract good quality jobs to Scotland and how do they ensure that these are being spread around the country.

SE will be soft launching a single point of entry online portal later this month. The portal will give access to advice and information to businesses of all sizes. In the future, this Portal will allow businesses gain financial product through as well.

Mark provided the Group with an overview of SE's focus over the next year. SE aim to:

- Enable up to £350m of investment in research and development and up to £200m of capital investment.
- Helping businesses to raise growth funding of up to £255m.
- Supporting international exports worth up to £1.5 billion.

Mark also advised that the Strategic Framework sets out how SE intend to deliver and has fairness and how partnership working is at the core of this Framework.

### **4. Early Adopter for Public Health Priority 6**

Audrey Sutton provided the Board with a presentation on North Ayrshire and NHS Ayrshire and Arran being selected by the Scottish Government as an early adopter for Public Health Priority 6 - Diet and Healthy Weight.

The aim of this work is to look at halving obesity rates in children by 2030 and improve the population's health. Currently in North Ayrshire one quarter of Primary one pupils and seven out of ten adults are above a healthy weight.

Audrey highlighted that the best way to work towards these aims are to look at ways all partners can work together using a 'whole systems' approach to diet, healthy weight and physical activity.

Audrey also highlighted that North Ayrshire have also gained national recognition for how out Health Weight, LOIP and LDP Strategies all link together. This displays how crucial influencing from a local level really is.

Audrey thanked the Board for supporting this work and advised that an update would be provided at a future meeting.

## **5. Workshops**

The Board split in to two workshops which focussed on Step Change and User Engagement

### **Step Change**

This Workshop was led by Morna Rae, Senior Manager, Policy, Performance and Community Planning.

Morna highlighted that to date she has had 11 one to one meetings with a wide range of CPP Partners. After the one to one meetings Morna pulled together a list of the main highlights and workshop session took place with the CPP Senior Officers Group. At the Workshop the Senior Officer were asked to vote for the five areas we should currently focus on. The topics chosen were:

**Creation of a Community Book** - this resource will provide information on a wide range of supports, interventions and services from a very local to national level which will assist people in crisis.

**Health Inequalities Self-Assessment Tool** - This will to help us address inequalities more effectively as well as ensure that inequalities as part of service planning.

**Unintentional Harm** – This will bring together a range of partners to undertake targeted approaches.

**Health in All Policies (HiAP)** – Implementing HiAP to take into account the health implications of the decisions we make, target the key social determinants of health and try to avoid causing harm with the aim of improving the health of the population and reducing inequity.

**Diet and Healthy Weight** – Have been selected as an Early Adopter Site for this work.

Morna highlighted that as a CPP we already have the “what” – our Local Outcomes Improvement Plan and Fair for All strategy. We also have the “why, which is to achieve our partnership vision of “North Ayrshire – A Better Life”. Now, our step change will focus on the “how”.

It takes learning from whole systems approaches, systems thinking, and collaborative or collective leadership to think about how this may apply to North Ayrshire CPP.

### **Service User Involvement Groups**

This Workshop was led by Alice Dillon, Manager, Community Justice Ayrshire, Lee Moffat, Team Manager, Justice Services and Kelly Archer, Social Worker, Justice Services.

Alice highlighted that across the three Ayrshire Council's there are three Service User

Involvement Groups: -

- North Ayrshire - Making A Difference (MAD)
- East Ayrshire – Community Voices Network (CVN)
- South Ayrshire – People's Involvement Networking Group (PING)

These Groups are made up of service users and a wide range of professional partners. The Groups meeting on a monthly basis and their focus is on creating spaces for users to participate in services in different ways.

Lee and Kelly provided Workshop attendees with an update on the work of the MAD Group in North Ayrshire.

The MAD Group meet on a monthly basis to discuss current events and new opportunities. The Group also publish an annual magazine which highlights the work of the group as well as Services User stories/poems and artwork.

It was at a meeting of the MAD Group where some ideas for activities were generated such as:

- Weekly football session – this led to a Pan-Ayrshire football tournament:
- Gym classes
- Cooking classes – two classes have taken place. The idea behind this suggestion was to show services user how they could made healthy nutritious food on a budget.
- Book shelf – this has been very well received, so much so, the service is asking for book donations:
- Film Club – films are relevant to justice and those who attend have good discussion afterwards

Lee and Kelly highlighted that all of these extra activities are run by staff within Justice Services. They are usually out with working hours and staff do this work in their own time.

The Chair commended the Team for their work.

It was agreed that a copy of the MAD Magazine and the Inclusive Justice document would be circulated to the Board after the meeting.

## **6. LOIP Performance Report**

Morna Rae provided the Board with an update on the LOIP Performance Report.

The following areas were highlighted to the Board:

- The gross weekly pay for female workers has been improving in North Ayrshire and the gap with Scottish average has halved in recent years.

- The latest figures show an employment rate of 44% for those who are work limited disabled. This shows significant progress from around 37% in 17/18.
- The first meeting of the Community Wealth Building Commission has taken place.
- Efforts to address low incomes continue through financial inclusion services. In Q2, The Better Off North Ayrshire service reached over £2M of financial gains for residents during Q2.
- Employment rate is now published as 70.4%. This has risen from a level of circa 64% in 16/17.
- Ongoing work with partners is continuing to develop the visitor experience. This COIG touring route initiative has created a mobile app and website and engaged with the industry and communities. A social digital media communications plan is being developed to promote the COIG to attract an additional 100,000 visitors to North Ayrshire.

Morna advised that there are no areas of concern to be highlighted and an update will be provided at a future meeting.

## **7. AOCB**

The Chair advised the Board that he would be stepping down as Chair of NHS Ayrshire & Arran from 31 December 2019. The new interim Chair of NHS Ayrshire & Arran will be Lesley Bowie. Interviews for the new Chair will take place during January 2020.

Craig Hatton conveyed his thanks on behalf of the Board to the Chair for his support to the Community Planning Partnership over the years and wished him well in his new role as Chair of NHS 24.

## **8. Minutes/Reports for information.**

The Chair advised the Board that a number of items were attached for their information.





# PROVOST'S REPORT

For the period covering: 9 December 2019 – 2  
February 2020

The attached report gives a summary and brief details to Council, of  
meetings and events attended by the Provost of North Ayrshire  
Council, Councillor Ian Clarkson.

# PROVOST'S REPORT

For the period covering: 9 December 2019 – 2 February 2020

Since the last meeting of the Council I have attended various events throughout North Ayrshire.

## **Foster Carers' Annual Coffee Morning, Fullarton Connexions, Irvine, 12 December**

On 12 December, I attended the annual Foster Carers' Coffee Morning in Fullarton Connexions. The event was hosted by NAHSCP Family Placement Team to thank all North Ayrshire Carers for the excellent work they carry out. I was delighted to be given the opportunity to attend and show my appreciation as well as highlighting the work that is carried out every day by our carers.

## **Poppyscotland Veterans Drop in Christmas Lunch, Kilmarnock, 13 December**

On 13 December, I attended the Poppyscotland Veterans Christmas Lunch in Kilmarnock. Support centres like these are vital in supporting our Armed Forces and Veterans community. As Veteran's Champion it is always good to hear first hand from the service users about the issues that they are encountering and how we can assist.

## **Three Town Growers Yuletide Event, Elm Park, Ardrossan, 14 December**

The Three Town Growers event took place at Elm Park Allotments, Ardrossan on 14 December. I, along with many others from the local community, attended this festive event which highlighted the excellent work that is carried out throughout North Ayrshire by a huge number of volunteers.

## **Montgomerie View Opening Ceremony, Seamill, 16 December**

I, along with the local elected members and portfolio holder, attended the Montgomerie View Opening event in Seamill. The 31 new homes, developed in partnership with Hope Homes and the Wee House Company Ltd, are just the latest in the Council's house building programme.



### ***Christmas Carousel, Dalry Primary School, 16 December***

I was delighted to attend this year's Christmas Carousel event, which took place on 16 December in Dalry Primary. The concert featured the North Ayrshire Schools' Senior & Training Concert Bands, the North Ayrshire Schools' Senior and Junior Orchestras and Garnock Valley Pipes & Drums. There was also a special performance by Nicola Benedetti. The event showcased the exceptional talent of our young people.

### ***Irvine and Dreghorn Brass Band Christmas Concert, Greenwood Academy, 19 December***

Irvine and Dreghorn Brass Band held their Christmas Concert in Greenwood Academy on 19 December. The concert was very entertaining and warmly received. The award-winning band has been operating for over 40 years and play at many community events in North Ayrshire.

### ***Veterans First Point Christmas Lunch, Irvine, 20 December***

On 20 December, I attended the Veterans First Point Christmas Lunch held in their base in Bridgegate, Irvine. I was happy to attend and show my support to the service users and staff. Veterans First Point provides a wide range of support services to veterans and their families.

### ***Polar Plunge, Irvine Beach, 1 January***

Raising funds for Cash for Kids, I took the plunge on New Year's Day and joined hundreds of others for a dip in the sea at Irvine Beach. This event gets busier each year and is a fun and refreshing way to start the New Year.

### ***Eglinton Burns Club Annual Dinner, Riverside Lodge Hotel, Irvine, 10 January***

I attended the annual dinner hosted by Irvine Eglinton Burns Club, in the Riverside Lodge Hotel on 10 January. This event is run entirely by volunteers who do an excellent job in upholding and celebrating Irvine's historical and cultural traditions.

### ***Westsound 15<sup>th</sup> Annual Burns Supper, Double Tree by Hilton, Glasgow, 18 January***

On 18 January, I was a guest at the Westsound Annual Burns Supper in Glasgow. This successful event, which celebrated the birth of Robert Burns, our National Bard, provided excellent networking opportunities.

***Kilwinning Heritage Book Launch, Nethermains Community Centre, Kilwinning, 20 January***

On 20 January, I was delighted to attend launch of the fourth book in the Kilwinning Heritage Series, by Heather Ufielod. The well-researched book tells the story of James Blair (1781-1850), the maker of the clock in the Kilwinning Abbey Tower and of fine long-case clocks. The other two town clocks and associated bells are included in this comprehensive guide to clocks and clockmakers in Kilwinning over 300 years.

***Chinese New Year Celebration, Usher Hall, Edinburgh, 21 January***

On 21 January, I attended a New Year celebration hosted by the Chinese Consul General in the Usher Hall, Edinburgh. The event was attended by Provosts and special guests from throughout Scotland. It was a pleasure to attend the event and show our support to the Chinese community in Scotland.

***Cervical Cancer Prevention Week, South Beach Surgery, Ardrossan, 24 January***

I attended a photocall with colleagues on 24 January, during Cervical Cancer Prevention Week. It was an excellent opportunity to highlight how important it is that all women are aware of what can be done to reduce the risk of cervical cancer.

***Auchenharvie Skills Academy Launch, Auchenharvie Academy, Stevenston, 24 January***

On 24 January, I attended the Skills Academy launch at Auchenharvie Academy, Stevenston. The Skills Academy is an amalgamation of innovative school projects and other similar or associated activities at Auchenharvie Academy. The Skills Academy aims to develop vocational, employability and life skills in the young people in structured projects and prepare them for the world of work either in the short term straight from school or in the medium-to-long term after further education. Key partners are DYW Ayrshire, Ayrshire College and Prince's Trust.

***Irvine Burns Club Annual Celebration, Volunteer Rooms, Irvine, 24 January***

On the evening of 24 January, I attended Irvine Burns Club 194<sup>th</sup> annual celebration which was held in the Volunteer Rooms, Irvine. This is a popular community celebration and always well attended. This year I was delighted to have received an Honorary Membership from the Club.

***Kirkin' of the President of Irvine Burns Club and wreath laying ceremony, Old Parish Church/Irvine Moor, Irvine, 24 January***

On 24 January, I attended the traditional Kirkin' of the President of Irvine Burns Club, which took place in Old Parish Church, Irvine. Many local organisations attended the event. Later that afternoon, I laid a wreath at the Burns Monument on Irvine Moor on behalf of the Council. Afterwards, David Burns was installed as President of Irvine Burns Club and Margaret Greenlees as Vice-President.

***71st Republic Day of India - Reception hosted by Consul General, City Chambers, Edinburgh, 24 January***

On the evening of the 24 January, the Consul General of India hosted a reception to celebrate the 71<sup>st</sup> Republic Day of India. The event took place in Edinburgh City Chambers. I was delighted to attend and show our support to the Indian community in Scotland.

***Irvine Civic Group Meeting, Townhouse, Irvine, 28 January***

On the 28 January, I chaired a meeting in Irvine Townhouse. For some time, it has been my intention to create a platform where organisations involved in promoting and celebrating Irvine's history and culture come together to discuss common interests. The meeting was very well-attend and I anticipate hosting these meetings twice a year.

***Burns Brunch, James McFarlane School, Ardrossan, 30 January***

I was delighted to join pupils and staff from James McFarlane School for their annual Burns Brunch event on 30 January. I thoroughly enjoyed the event which included country dancing in the gym, entertainment by the pupils followed with traditional refreshments.

***Celebration of Chinese New Year, City Chambers, Glasgow, 2 February***

On 2 February, in Glasgow City Chambers, I and Provosts throughout Scotland attended a Chinese New Year celebration. This cultural celebration was arranged by Chinese Cultural and Welfare Society and Glasgow City Council.



*Ian Clarkson*

Councillor Ian Clarkson  
**Provost North Ayrshire Council**



North Ayrshire Council  
Comhairle Siorrachd Àir a Tuath

# LEADER'S REPORT

For the period covering: 9 December – 2  
February 2020

The attached report gives a summary and brief details to Council, of meetings and events attended by the Leader of North Ayrshire Council, Councillor Joe Cullinane.

# LEADER'S REPORT

For the period covering: 9 December – 2 February 2020

## ***OFFICIAL OPENING OF MONTGOMERIE VIEW, SEAMILL, 16 December***

On 16 December, I was delighted to attend the official opening of Montgomerie View in Seamill, which provides a further 31 new homes for our residents in North Ayrshire. These first class, high-quality, energy-efficient homes form part of a wider 124 private development by Hope Homes and The Wee House Company. The homes have been specifically built for 21st century living and are at the cutting edge of inclusive living, providing sustainable, high-quality homes in areas where people need new housing.

These houses take us one step closer to our target of building 1,575 new homes across North Ayrshire by 2025 - one of the most ambitious Council house building projects not only in Scotland but in the whole of the UK.

I would like to congratulate The Wee House Company and Hope Homes for their innovative design and building work. A special thanks to our Housing Service for their dedication and continued hard work on delivering on our promise of new, increased social housing.

## ***1<sup>st</sup> TIER JOINT CONSULTATIVE COMMITTEE & CORPORATE HEALTH AND SAFETY GROUP, 18 December***

On 18 December, I chaired the 1<sup>st</sup> Tier Joint Consultative Committee and Corporate Health and Safety Group held in Cunninghame House. Attendees heard updates on the health and safety plans from our PLACE, Communities and HSCP directorates. There was also a presentation from our Livewell team on our Healthy Working Lives Programme which covers Livewell and Sustrans activities that promote the wellbeing of our employees. This included a summary of some of the key findings from the "Our Voice Survey" and an overview of the Wellbeing Retreat.

The Wellbeing Retreat was held on 1 October in Cunninghame House and a range of providers were able to offer staff short sessions. These included a Zen Room looking at Yoga and mindfulness, a market stall encompassing KA Leisure, mini blood-pressure check, mini massages, information on Employee Perks, Scotwest Credit Union and much more. Due to the success of the event the Livewell team will consider repeating the event and possibly rolling out a version of the retreat across North Ayrshire.

### ***“FAIR SAY” STAFF ENGAGEMENT SESSION, 16 January***

On 16 January, together with North Ayrshire Council Chief Executive, Craig Hatton, I took part in the staff engagement FAIR SAY event held in Largs Campus. This was the last staff engagement event which has proved successful in giving North Ayrshire Council employees the opportunity to put any questions to myself and our Chief Executive on Council related matters, specifically in relation to our new Council Plan.

### ***NORTH AYRSHIRE SUMMIT ON DRUGS RELATED DEATHS, 21 January***

It has been well documented on media channels that we are experiencing an unprecedented continued rise in drug related deaths in North Ayrshire. Therefore, I was pleased to attend the North Ayrshire Summit on Drugs Related Deaths held in Saltcoats Town Hall on 21 January. It was a timely and useful event hosted by Paul Main, Chair of the North Ayrshire Alcohol and Drug Partnership and Stephen Brown, Director of North Ayrshire Health and Social Care Partnership. It brought key partners, stakeholders and members of the community together to explore what is being carried out locally and nationally to tackle the Scotland-wide trend which is having a devastating impact on so many peoples' lives.

I would like to commend my colleague and fellow Cabinet Member for Communities, Councillor Louise McPhater, for speaking so passionately from her own personal experience which led North Ayrshire Council to declare a drugs deaths emergency last year. I am encouraged that we are now taking some positive steps in the right direction at addressing this issue and further encouraged that more of our Council workers will be trained and equipped to use naloxone, which can help prevent overdose deaths.

### ***KILWINNING LOCALITY MEETING, 21 January***

Also on 21 January, I attended the Kilwinning Locality meeting held at Ayrshire College, Kilwinning Campus. The Agenda included presentations from our Planning team on our Local Development Plan and an update on Community Wealth Building from our Senior Economic Manager, Julie McLachlan. Locality members also considered a further three applications from local organisations for Community Investment Funding, including Kilwinning Rangers, Onside Ayrshire and Ayrshire Communities Education and Sport (ACES).

### ***COMMUNITY WEALTH BUILDING COMMISSION, 22 January***

On 22 January, the Community Wealth Building (CWB) mission met for the second time to drive forward our community wealth building agenda for North Ayrshire. A key priority within the Commission's remit is to support the implementation of a Community Wealth Building Strategy and to recommend to Cabinet and the Community Planning Partnership (CPP) the approval of a Community Wealth Building Strategy. Another priority for the Commission is to ensure that there is engagement with our communities regarding our community wealth building work.

In terms of wider engagement, presentations on CWB were given by each of the Locality Partnerships at their January round of meetings. We are also using CONSUL (Your Voice, Your View) to put a range of CWB discussion questions on this platform to reach a wider audience. There has also been feedback on some of the CWB pillars gained through the Council's Fair Say budget engagement sessions within localities. The NAC Staff Leadership Conference in November 2019 focused on CWB and senior leaders put forward a range of ideas on how we become a CWB Council and work in partnership to achieve this. Furthermore, the CPP/CWB Commission Procurement Workshop put forward some key actions regarding how we can better jointly support our local business base through our procurement spend.

Our CWB work continues to develop and strengthen and I am excited about the positive outcomes this work can have for the benefit of everyone in North Ayrshire.

### ***POLICY ADVISORY PANEL, 23 January***

I attended the first half of the Policy Advisory Panel on 23 January here in Cunninghame House. Attendees heard several presentations which included a presentation from the Chief Executive of KA Leisure on the medium-term financial outlook of KA Leisure; a presentation from North Ayrshire Council Chief Executive, Craig Hatton, on the forthcoming Best Value Audit and there was also an update on our capital programme from our Executive Director for Finance and Corporate Support, Laura Friel.

### ***FAIR FOR ALL COMMISSIONER MEETING, 23 January***

On 23 January, I attended the Fair For All Commissioner meeting held at Fullarton Connexions. There are now seven Community Commissioners who volunteer their time to attend the Fair For All Commission and are representative of communities that are struggling against poverty and insecurity. FFA Commissioners will continue to meet until May 2020 before a report will be submitted to the Scottish Government.



### ***AYRSHIRE SHARED SERVICES MEETING, 24 January***

I chaired the first part of the Ayrshire Shared Services Meeting held here in Cunninghame House on 24 January where discussion focused on the 2019/2020 Ayrshire Civil Contingencies Team (ACCT) Work Plan. The ACCT continues to meet quarterly with the three Ayrshire Steering Group comprising the Head of Service from each Council with the responsibility for civil contingencies. This provides an opportunity for monitoring and scrutiny on all civil contingency matters. There are also routine meetings scheduled on a one-to-one basis with each of the Steering Group members; these meetings allow for more detailed discussion relative to the respective Local Authority. The ACCT works closely with local emergency services and NHS partners who form the core membership of the Ayrshire Local Resilience Partnership (ALRP).

### ***VISIT TO MEADOWCROFT, 30 January***

Together with my colleague and Cabinet Member for the Health and Social Care Partnership, Councillor Robert Foster, I visited the new Throughcare premises based at Meadowcroft in Irvine following their relocation after the closure of the former offices at Kinnier Road. Staff from some of the following teams will be based in the new premises: Rosemount, Programme Approach Team, Throughcare/Aftercare Teams, Residential SW Team and Family Functional Therapy. The visit provided the opportunity to meet and chat with some of the young people and members of staff from some of these teams.

When I first became Leader of North Ayrshire Council, one of the first visits I made was to the Throughcare team. The team do amazing work supporting care-experienced young people and I am glad to see that they now have a better working environment in which they can operate and continue to provide the first-class support to our care experienced young people.



North Ayrshire Council Leader Joe Cullinane, with Stephen Brown, Director of North Ayrshire Health and Social Care Partnership, Councillor Robert Foster, Cabinet Member for Health and Social care and two of the young people they met at Meadowcroft

### ***COSLA LEADERS, 31 January***

I attended COSLA Leaders in Edinburgh on 31 January for a meeting to discuss a range of subjects including the Local Government Spending Review, COSLA Priorities Update, UK exit from the EU, Replacement of EU Funds and Scotland's Energy Efficiency Programme.

COSLA has continued to engage with the Scottish Government on the Scottish Budget writing to both the UK Chancellor Sajid Javid and to the Scottish Cabinet Secretary for Finance, Derek Mackay to once again outline COSLA's concerns around Budget delay. Subsequently, Mr Mackay announced his intention to publish a Scottish Budget on 6 February 2020 in order to conclude stages 1, 2 and 3 of the Budget Bill before the end of the financial year. All Stages of the Scottish Budget will be complete by 5 March with the budget announced on 6 March.

## LEADER'S REPORT



A handwritten signature in black ink, reading "Joe Cullinane". The signature is written in a cursive, flowing style.

Councillor Joe Cullinane  
**Leader North Ayrshire Council**



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## NORTH AYRSHIRE COUNCIL

### North Ayrshire Council

12 February 2020

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**Title:** **Audit Scotland Report: Local Government in Scotland: Financial overview 2018/19**

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**Purpose:** To inform Council of the findings of the recent Audit Scotland report.

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**Recommendation:** That Council (i) notes the findings of the recent Audit Scotland report, (ii) notes the current position in North Ayrshire and (iii) considers these as part of the budget deliberations

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#### 1. Executive Summary

- 1.1 Audit Scotland published its 2018/19 financial overview of local government in Scotland in December 2019. The timing of the report is intended to give councils the opportunity to use its findings to inform their budget setting. A link to the report is attached below;

[Local Government in Scotland : Financial Overview 2018/19](#)

- 1.2 The report provides an independent assessment of how effectively Scottish local government is managing public funds and responding to the financial challenges it faces. The significant challenges facing Integrated Joint Boards (IJB) and the requirement to do more to address their financial sustainability is also highlighted. The report has a summary of key findings with more detail provided in four parts;

- Part 1 - Councils' income in 2018/19;
- Part 2 - Councils' financial position in 2018/19;
- Part 3 - Councils' financial outlook; and
- Part 4 - Integration Joint Boards' overview 2018/19.

- 1.4 The report sets out a number of questions that councillors may wish to consider to help them understand their council's financial position and scrutinise its financial performance. These questions are published in a separate supplement. A link to the document is attached here;

[Local Government Financial Overview 2018/19 : Scrutiny Tool for Councillors](#)

- 1.5 Appendix 1 to this report highlights the key messages identified within the Audit Scotland report and notes the current position of North Ayrshire Council and the IJB in relation to these.

## **2. Background**

### **Financial Overview 2018/19**

- 2.1 The report examines the strategic financial position of local government in Scotland in 2018/19.
- 2.2 A summary is provided within the report with further information provided in 4 main sections:
- Part 1 - Councils' income in 2018/19;
  - Part 2 - Councils' financial position in 2018/19;
  - Part 3 - Councils' financial outlook; and
  - Part 4 - Integration Joint Boards' overview 2018/19.

### **2.3 Key Messages**

#### **Audit Scotland Report**

- 2.3.1 Common themes emerge across the Summary and the four Parts of the report, some of which have been contained within previous Audit Scotland overview reports. These are summarised below for the Council and Integrated Joint Board (IJB);

#### Council

- councils dependency on Scottish Government funding setting out funding trends since 2013/14 with more detailed information being provided for 2018/19 and 2019/20, presented in both cash terms and real terms with the latter taking account of the impact of inflation;
- the more significant reduction in local government funding than the rest of the Scottish Government budget since 2013/14;
- the growing proportion of Scottish Government funding for national policy initiatives reducing the flexibility councils have in responding to local priorities;
- councils responses to the funding challenge include; savings, service redesign, reduction to services, increasing charges and increasing use of reserves, with a reduction in reserves over the last three years;
- Councils progress on medium term financial planning with no significant progress in long term financial planning;
- the need for transparency in the Management Commentary of Council's Annual Accounts Report, a key element of Public Performance Reporting; and

- councils preparation for EU withdrawal.

#### Integration Joint Board (IJB)

- Majority of IJB's struggling to breakeven;
- One third of IJBs not agreeing their budgets for the start of 2019/20;
- Improvement in IJBs developing medium term financial plans but no progress on long term financial planning;
- Turnover of IJB senior staff;
- Pace of integration slow with limited evidence of a shift in resources from acute based hospital spend to community health and social care.

#### **North Ayrshire Council**

2.3.2 An update on the North Ayrshire position is noted below;

- The impact of the historic Scottish Government funding trend on North Ayrshire is summarised in appendix 1;
- the Long Term Financial Outlook, approved at Council on 4 October 2017, is the cornerstone of the Council's financial planning framework and outlines the scale of the potential financial challenge facing North Ayrshire Council by 2027/28, this is due for refresh during 2020;
- the council continues to review its 3 year rolling medium term financial plan as part of the annual budget setting;
- having delivered savings of £102m over the last ten years identification of new options is becoming increasingly challenging;
- The Council's current transformation programme aligns with the 2019-24 Council Plan, this continues to evolve as the Council responds to the anticipated future funding challenge;
- Having used £16.161m of reserves to support non-recurring investment and the core budget since 2017/18 the Council's unearmarked reserves are sitting at the minimum acceptable level of 2%, with a bi annual review of all reserves undertaken;
- continued financial support through the Council's core budget for the Health and Social Care Partnership to repay the £5.139m debt to the Council;
- regular reporting to Audit and Scrutiny on the risks and mitigation of Brexit;
- the Management Commentary to the Council's Accounts has been identified as an example of best practice in the last two years.

## **Integration Joint Board**

2.3.3 An update on the Integrated Joint Board position is noted below;

- The North Ayrshire IJB has overspent in each financial year up to 2018-19. Since 2016/17 North Ayrshire Council has not funded IJB in year overspends with a deficit accruing since then. During 2018-19 the IJB made the first instalment towards repayment of the debt of £5.8m to the Council and reduced it by £0.7m;
- The Partnership is reporting a projected overspend of £1.434m for 2019-20 as at the end of December. This is being actively managed and has been reducing since the implementation of a financial recovery plan approved by the IJB in September 2019;
- The North IJB and partners worked effectively together, and a 2019/29 budget was agreed in March 2019.
- The IJBs has a medium-term financial plan in place to 2020. A whole system shift to longer term financial planning is an aspiration for the IJB, this will be explored alongside the next refresh of the Strategic Plan;
- The IJB in North Ayrshire has experienced turnover of experienced senior staff, this does however create an opportunity to develop both existing HSCP talent and seek talent externally to support the IJB moving forward. The current HSCP Director has been part of the HSCP since the formation of the IJB and the Director since April 2017;
- The Ayrshire IJBs have been working with the Scottish Government to develop national directions guidance and a shared set of principles to allow the set aside budget to be fully delegated to IJBs. Outwith acute services, during 2018-19 the North IJB used £410k of NHS delegated budgets to offset overspends in social care services;
- Overall funding for IJBs has increased, however this additional funding is to support new expenditure requirements relating to Scottish Government Priorities for example, the living wage, Primary Care Improvement Fund, Carers Act and Mental Health investment;
- The budget gap for the North Ayrshire IJB has reduced from 2.33% to 1.63% from 2018-19 to 2019-20, both figures have been adjusted for unachieved savings from previous years. The 2019-20 gap was significantly reduced due to the Scottish Government Health settlement directive to pass through the annual budget uplift.

## **3. Proposals**

3.1 That Council notes the findings of the recent Audit Scotland report and the current position in North Ayrshire and the IJB.



#### **4. Implications/Socio-economic Duty**

##### **Financial**

- 4.1 The Audit Scotland report highlights the reliance of local government on Scottish Government grant funding and the need for the development of robust medium and longer term financial plans to develop sustainable solutions to bridge the anticipated funding gap.

North Ayrshire Council develops medium term financial plans on a three year rolling basis and Council approved the (10 year) Long Term Financial Outlook on 4 October 2017, with an update planned during 2020.

Financial sustainability, including the need to ensure an appropriate level of reserves, is a focus of the annual external audit.

The challenging position of IJBs is noted, whilst this is a matter for IJBs it is important to the Council as a key funding partner.

##### **Human Resources**

- 4.2 As part of a sustainable financial strategy the Council continues to actively manage the size of its workforce. Regular communication and consultation takes place with the workforce and Trade Unions.

##### **Legal**

- 4.3 There are no direct legal implications associated with this report.

##### **Equality/Socio-economic**

- 4.4 Equality impact assessment are carried out for all options identified as part of the medium and long term financial plans

##### **Environmental and Sustainability**

- 4.5 There are no direct environmental and sustainability implications associated with this report.

##### **Key Priorities**

- 4.6 In addressing the financial challenges which it faces, the Council seeks to minimise the impact on delivering its key priorities.

##### **Community Wealth Building**

- 4.7 There are no direct community benefits associated with this report.

## **5. Consultation**

- 5.1 Consultation took place with the Health and Social Care Partnership in the preparation of this report.

LAURA FRIEL  
Executive Director (Finance and Corporate Support)

### **Reference:**

For further information please contact Laura Friel, Executive Director (Finance and Corporate Support) on 01294 324554

### **Background Papers**

None

## Audit Scotland: Local Government in Scotland Financial Overview 2018/19

**Summary**

Ref	Key Message	NAC / IJB Feedback
<b>S1</b>	In 2018/19, Scottish council revenue income totalled £17.7 billion, an increase from 2017/18 (£17.3 billion).	
<b>S2</b>	<p>Scottish Government revenue funding remains the most significant source of income and this increased by 1.1 per cent in cash terms in 2018/19, a 0.7 per cent decrease in real terms.</p> <p>Since 2013/14, Scottish Government funding to councils has reduced by 7.6 per cent in real terms.</p>	<p>In 2018/19 NAC's grant increased by £3.545m, 1.3% in cash terms and a 0.5% decrease in real terms, this represented additional funding for national priorities of £4.334m (1.6%) and a reduction to core funding of £0.789m (0.3%).</p> <p>The real terms reduction in funding for NAC since 2013/14 is 2.2%, this comprises a reduction to core funding of 14.8% and new funding of 12.6%.</p>
<b>S3</b>	In 2018/19, the funding gap was three per cent of total budget. Councils planned to manage this primarily through savings, though a shortfall in savings achieved meant that more of the funding gap was met from reserves than planned.	<p>In 2018/19 the gross funding gap for NAC was £15.341m (4.5%), this was closed through;</p> <ul style="list-style-type: none"> <li>• £1.358m - 3% increase in council tax</li> <li>• £10.483m - savings</li> <li>• £3.500m - use of reserves</li> </ul>
<b>S4</b>	Councils are increasingly drawing on their revenue reserves. The net draw on revenue reserves in 2018/19 was £45 million. Twenty-three councils have reduced their general fund reserves over the last three years.	<p>Refer to s3.</p> <p>NAC has used £10.821m of reserves to fund the recurring budget since 2017/18. In addition, reserves of £5.341m have supported non-recurring expenditure including the establishment of the HSCP Challenge Fund.</p>
<b>S5</b>	Capital expenditure increased by £62 million (2.3 per cent) to £2.75 billion, with more spent on housing and less on education.	NAC's capital budget for the General Fund increased by £1.800m (5.0%) with a reduction in Housing of £23.678m (44.6%). Within the General Fund investment increased to support the Waste Collection, within Housing, expenditure aligned with government grants to support new build housing.
<b>S6</b>	All councils have medium-term financial planning covering three years or more. Long-term financial planning has not improved since last year and more progress is needed.	NAC presents a rolling three year medium term financial plan to Council each year. The current Long term Financial Outlook was approved in 2017/18 and covers the period to 2028. This will be refreshed during 2020.
<b>S7</b>	Councils have made preparations for EU withdrawal but there are many potential implications that cannot be anticipated in financial planning.	Regular reports have been submitted to Audit and Scrutiny setting out the risks, issues and mitigation associated with Brexit. The Council is as prepared as it can be given the high levels of uncertainty.

Ref	Key Message	NAC / IJB Feedback
<b>S8</b>	A majority of IJBs struggled to achieve break-even in 2018/19, either recording a deficit or relying on additional funding from partners.	<p>The North Ayrshire IJB has overspent in each financial year leading up to 2018-19. North Ayrshire Council has not funded the social care element of the overspend since 2016/17. As at the end of 2017/18 the IJB had accrued a debt to the Council of £5.8m. During 2018-19 the IJB made the first instalment towards repayment of the debt and reduced it by £0.7m.</p> <p>There Partnership is reporting a projected overspend of £1.434m as at the end of December for 2019-20. This is being actively managed and is reducing since the implementation of a financial recovery plan approved by the IJB in September 2019.</p>
<b>S9</b>	Around a third of the IJBs failed to agree a budget with their partners for the start of the 2019/20 financial year.	This was not the case for the North Ayrshire IJB. The IJB and partners worked effectively together, and a budget was agreed in March 2019 prior to the start of the new financial year.
<b>S10</b>	Medium-term financial planning is improving but no IJB had a financial plan that extended for more than five years. A focus on developing longer-term financial planning is required by IJBs.	The IJB has in place a medium-term financial plan to 2020. The settlement conditions attached to funding for IJBs in recent years together with increasing demand for services makes it very difficult to develop longer term financial planning with any confidence, however a whole system shift to longer term financial planning is an aspiration for the IJB. This will be explored alongside the next refresh of the Strategic Plan.
<b>S11</b>	Over a third of IJB senior staff have changed during 2018/19.	The IJB in North Ayrshire has experienced turn over of experienced senior staff as a result of retirements and secondments to National posts. The turnover of senior staff does however create an opportunity to develop both existing HSCP talent and seek talent externally to support the IJB moving forward. The current HSCP Director has been part of the HSCP since the formation of the IJB and Director since April 2017.

### **Part 1 Councils' income in 2018/19**

Ref	Key Message	NAC Feedback
<b>P1 (1)</b>	In 2018/19, Scottish council revenue income totalled £17.7 billion, an increase from 2017/18 (£17.3 billion).	
<b>P1 (2)</b>	Scottish Government revenue funding remains the most significant source of income and this increased by 1.1 per cent in cash terms in 2018/19 (0.7 per cent decrease in real terms).	Refer to S2

Ref	Key Message	NAC Feedback
P1 (3)	Since 2013/14, Scottish Government revenue funding to councils has reduced by 7.6 per cent.	Refer to S2
P1 (4)	A growing proportion of Scottish Government revenue funding to councils is committed to national policy initiatives.	There has been an increase in the proportion of funding allocated in support of national policy initiatives including PEF, ELC Expansion, the Carers Act, HSCP funding commitments and SWF, CT Reduction, Free School Meals, Carers Act and Free School Meals.

## **Part 2 Councils financial position in 2018/19**

Ref	Key Messages	NAC position
P2 (1)	The 2018/19 funding gap of three per cent was less than the previous year (four per cent). Councils planned to manage this primarily through savings, though a shortfall in savings achieved meant that a higher proportion of the funding gap was met from reserves than planned.	Refer S3
P2 (2)	Across Scotland councils increased their use of revenue reserves. The net draw on revenue reserves in 2018/19 was £45 million. Over the past five years the position has changed, with councils increasingly drawing on their revenue reserves.	Refer to S4
P2 (3)	Twenty-three councils have reduced their general fund reserves over the last three years. No council has a position where this rate of depletion would eliminate the total general fund within three years.	Refer to S4.  General Fund Reserves have increased over the three years to 2018/19 in line with future plans. The level of unearmarked reserves has been reduced to 2% of General Fund expenditure over this period. The current policy is to maintain unearmarked reserves at this minimum level.
P2 (4)	Capital expenditure increased by £62 million or 2.3 per cent in 2018/19 to £2.75 billion, with more spent on housing and economic development and less on education.	Refer to S5
P2 (5)	The value of pension liabilities in councils increased by £0.5 billion to reflect the impact of the McCloud case.	The revised actuarial assessment of North Ayrshire's pension liabilities in light of the McCloud case increased North Ayrshire's total pension liabilities by £11.606m (1.8%) during 2018/19.
P2 (6)	Councils should continue to improve the transparency of the management commentary.	In the last two years NAC's Management Commentary has been recognised as an example of best practice. As part of our commitment to continuous improvement we review opportunities for enhancement each year.

### **Part 3 Councils' Financial Outlook**

<b>Ref</b>	<b>Key Messages</b>	<b>NAC position</b>
<b>P3 (1)</b>	Scottish Government revenue funding to local government in 2019/20 increased by 2.9 per cent in cash terms (0.9 per cent in real terms).	North Ayrshire's total grant increased by £6.671m (2.4% in cash terms and a 0.4% increase in real terms), this represented an increase of funding of £10.503m (3.8%) for new policy initiatives and a reduction to core grant of £3.832m (1.4%)
<b>P3 (2)</b>	In 2019/20, the Scottish Government increased the cap on council tax increases. Twelve councils decided to increase council tax by the full amount (4.8 per cent).	North Ayrshire increased its Council Tax in line with the cap at 4.79%.
<b>P3 (3)</b>	Many councils are also seeking other ways to increase income, including increasing fees and some have introduced new charges in 2019/20. Some councils also continue to pursue new local taxes.	North Ayrshire had a number of strands to its charging policy. In 2019/20; <ul style="list-style-type: none"> <li>• A 5% uplift was applied across the board with the exception of;</li> <li>• Those set in statute;</li> <li>• Where additional income could be generated as part of our municipalisation agenda</li> </ul>
<b>P3 (4)</b>	Councils' 2019/20 financial plans identified a total funding gap of £0.5 billion (three per cent of income). This continues the increasing pressure on councils to find further cost savings, redesign services, reduce services, increase income or use reserves. These decisions are likely to become increasingly difficult for councillors. Councils planned to manage their funding gaps mainly through identified cost savings.	NAC's gross funding gap in 2019/20 was £19.639m, 5.5%. This was achieved through; <ul style="list-style-type: none"> <li>• £2.980m Additional council tax income</li> <li>• £12.779m Savings</li> <li>• £3.880m Use of reserves</li> </ul>
<b>P3 (5)</b>	All councils have medium-term financial planning covering three years or more. Long-term financial planning has not progressed since last year.	Refer to S6
<b>P3 (6)</b>	The Scottish Government has made a commitment to set out multi-year budgets, which will assist councils with financial planning.	NAC welcomes multiyear settlements as a means to ensuring more robust medium and long term financial planning This will support the longer time frame required to deliver the significant transformation and savings that are required to ensure financially sustainable service delivery models.
<b>P3 (7)</b>	Councils have made preparations for EU withdrawal but there are many potential implications that cannot be anticipated in financial planning.	Refer to S7

## **Part 4 Integration Joint Boards Overview 2018/19**

<b>Ref</b>	<b>Key Messages</b>	<b>IJB position</b>
<b>P4 (1)</b>	The pace of health and social care integration has been too slow and there is limited evidence to suggest any significant shift in spending from acute based hospital spend to community health and social care.	The IJBs in Ayrshire were one of few areas nationally that worked effectively with their Health Board to identify and agree an acute hospital set aside budget at the start of integration. There is a shared understanding of how that resource splits across Ayrshire and where IJBs are over or under their NRAC share. The financial pressures on the NHS acute services mean there are significant challenges in releasing any resources. The Ayrshire IJBs have been working with the Scottish Government to develop national directions guidance and a shared set of principles to allow the set aside budget to be fully delegated to IJBs. Outwith acute services, during 2018-19 the North IJB used £410k of NHS delegated budgets to offset overspends in social care services and the IJB continue to manage the budget on the basis of funding losing its identity.
<b>P4 (2)</b>	Overall, IJB budgets increased by three per cent in 2018/19.	<p>Overall total Scottish IJB funding increased by three per cent in 2018/19 and this was reflected in a three per cent increase in total expenditure of £0.3 billion to £8.6 billion. The total contributions from councils increased from £2.4 to £2.5 billion and NHS contributions from £5.9 to £6.1 billion.</p> <p>North Ayrshire IJB received a 2.98% increase and an additional share of the £66m Scottish Govt funding which increased this to 3.8% However, this additional funding was to support new expenditure requirements relating to Scottish Government Priorities for example, the living wage, Primary Care Improvement Fund, Carers Act and Mental Health investment.</p>
<b>P4 (3)</b>	The identified budget gap reduced from £248 million (2.9 per cent of total income) in 2018/19 to £208 million (2.5 per cent of total income for 2019/20).	<p>The budget gap for the North Ayrshire IJB is:</p> <p>18/19 gap £5.4m / £230.991m budget = 2.33%  19/20 gap £3.9m / £238.654m budget = 1.63%</p> <p>The budget gap reflects the savings gap from the financial settlement each year, excluding unidentified CRES savings from previous financial years, which have now been identified and included in savings plans for 2019-20. The 2019-20 gap was significantly reduced due to the Scottish Government Health settlement directive to pass through the annual budget uplift, this led to the IJB being protected from a CRES target from the NHS.</p>

Ref	Key Messages	IJB position
<b>P4 (4)</b>	A majority of IJBs struggled to achieve break-even and 19 would have recorded a deficit without additional funding from partners at the year end.	Refer to S8
<b>P4 (5)</b>	Around a third of the IJBs failed to agree a budget with their partners for the start of the 2019/20 financial year. For several IJBs, although the budget was set on time, it still had an element of unidentified savings which meant it was unbalanced at the start of the year.	Refer to S9
<b>P4 (6)</b>	A focus on long-term financial planning is required by IJBs to assist effective decision making that will support long-term financial sustainability.	Refer to s10
<b>P4 (7)</b>	Over a third of IJB senior staff have changed during 2018/19.	Refer to S11



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## NORTH AYRSHIRE COUNCIL

12 February 2020

### North Ayrshire Council

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**Title:** Clyde Muirshiel Regional Park

**Purpose:** To seek Council's approval to withdraw from the Clyde Muirshiel Minute of Agreement regarding Clyde Muirshiel Regional Park with Renfrewshire Council and Inverclyde Council

**Recommendation:** That Council agrees to:

- a) Serve notice of withdrawal from the Clyde Muirshiel Regional Park Joint Committee;
- b) Authorise officers to agree the date of North Ayrshire's withdrawal from the Joint Committee with Renfrewshire and Inverclyde Councils;
- c) That once the Council has withdrawn, strategic functions formally delegated to the Park Authority be delegated to Cabinet and operational functions be delegated to the Executive Director of Communities; and
- d) Note that the Council will continue to liaise with Renfrewshire and Inverclyde Councils to ensure the protection and enhancement of the Park's natural environment.

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### 1. Executive Summary

- 1.1 The Clyde Muirshiel Regional Park was formally constituted by the Clyde Muirshiel Regional Park Designation Order 1987, in recognition of its regional scenic significance.
- 1.2 The Park is managed by a Joint Committee comprising North Ayrshire Council, Renfrewshire Council and Inverclyde Council, known as the Park Authority. The Council previously agreed to delegate a number of functions to this Joint Committee as detailed in Appendix 1. The Park Authority is supported by a Joint Advisory Committee (The Park Consultative Forum), which has a wider membership.
- 1.3 The Council currently has no facilities within the boundaries of the regional park, and over the past three years has gradually reduced its financial contribution to the park in line with its medium-term financial plans and in line with the minimal reportable levels of activity in the park which relate to North Ayrshire residents.
- 1.4 The review of the governance of the park and the proposed development of SLA arrangements with Renfrewshire provides an opportunity for North Ayrshire Council to

re-evaluate its role within the tri-partite partnership and to take the opportunity to withdraw from the current arrangements.

- 1.5 The Council's withdrawal from the Joint Committee will not affect the designation of the Clyde Muirshiel Park, which will remain in existence.

## **2. Background**

- 2.1 The Clyde Muirshiel Regional Park was formally constituted by the Clyde Muirshiel Regional Park Designation Order 1987, in recognition of its regional scenic significance. This followed an earlier informal designation by Renfrew County Council. The drivers for the Park's constitution were to ensure that development did not have an adverse impact on the scenery or wildlife of the Park area, and to manage visitor pressure and provide recreational facilities. The Park comprises a largely upland area forming parts of Renfrewshire, Inverclyde and North Ayrshire Councils. The area north of the Largs-Kilbirnie road now comprises the only remaining area of wild land within the mainland of North Ayrshire.
- 2.2 The Park is managed by a Joint Committee comprising North Ayrshire Council, Renfrewshire Council and Inverclyde Council, known as the Park Authority. The Council previously agreed to delegate a number of functions to this Joint Committee as detailed in Appendix 1. The Park Authority is supported by a Joint Advisory Committee (The Park Consultative Forum), which has a wider membership.
- 2.3 The role of the Joint Committee is set out in a 2004 Minute of Agreement. The purpose of the authorities' functions in relation to the park is described as tourism, recreation and conservation and the Councils agreed to be advised by the Park Authority with regard to the exercise of their duties in relation to these matters. Renfrewshire Council is the lead authority.
- 2.4 The Park Authority has eight members: four from Renfrewshire Council and two each from Inverclyde Council and North Ayrshire Council.
- 2.5 Renfrewshire Council, as lead authority, appointed appropriate officers to act as Clerk to the Park Authority and Treasurer and they provide such professional, technical and administrative support to the Park Authority, the Forum and the parties to the Agreement as is necessary for the operation of the Agreement. North Ayrshire has also contributed park ranger management expertise from Eglinton Country Park.

## **2.6 Current Position**

- 2.6.1 Clyde Muirshiel Regional Park activities and facilities have changed significantly since its inception and Renfrewshire Council has therefore undertaken a review of the governance. It is proposing that a revised Minute of Agreement covers constitution, purpose, financial arrangements and administrative arrangements. Renfrewshire Council also proposes that it will continue to provide the "lead" Council role, with a Service Level Agreement developed in agreement with both Inverclyde and North Ayrshire.
- 2.6.2 The scenic and wildlife significance of the Park area remains a local and regional asset. However, the recreational aims of the Park have changed over time. In 2003 the

introduction of the 'right to roam' resolved any remaining access uncertainties. Recreational facilities within the park boundaries and supported by the public purse are now located outwith North Ayrshire. The Council currently has no facilities within the boundaries of the regional park, and over the past three years has gradually reduced its financial contribution to the park in line with its medium-term financial plans and in line with the minimal reportable levels of activity in the park which relate to North Ayrshire residents. Reductions to North Ayrshire's requisition from Renfrewshire Council have been made, from £120,000 in 2016 to the current contribution of £40,000.

2.6.3 North Ayrshire Council's participation in the governance of the park facilities and the determination of its activities is severely limited due to the absence of facilities within the park. The activities to which its financial requisition contributes are not clearly defined.

2.6.4 The review of the governance of the park and the proposed development of SLA arrangements with Renfrewshire provides an opportunity for North Ayrshire Council to re-evaluate its role within the tri-partite partnership and to take the opportunity to withdraw from the current arrangements. In terms of the 2004 Minute of Agreement there is a period of notice which the Council requires to give in the event that it withdraws from the Joint Committee arrangement. While a period of 2 years notice from 31 March is required, in light of the current review of the Agreement it is hoped that a lesser period can be agreed with the other two Councils.

2.6.5 The Council's withdrawal from the Joint Committee will not affect the designation of the Clyde Muirshiel Park, which will remain in existence. Once the Council has withdrawn, functions previously delegated to the Joint Committee, and as detailed in Appendix 1 will come back to the Council. Following normal practice it is recommended that strategic functions formally delegated to the Park Authority be delegated to Cabinet and operational functions be delegated to the Executive Director of Communities. The Scheme of Administration and Scheme of Delegation to Officers would be amended once a date of withdrawal has been agreed.

2.6.6 As the Park will remain in existence, and still cover the last remaining wild land within mainland North Ayrshire, there will be an ongoing need to take an integrated approach, in consultation with Renfrewshire and Inverclyde Councils. This supports the Scottish Government's National Outcome to "Value and enjoy our built and natural environment and protect it and enhance it for future generations".

### **3. Proposals**

3.1 It is proposed that North Ayrshire Council agrees to:

- a) Serve notice of withdrawal from the Clyde Muirshiel Regional Park Joint Committee;
- b) Authorise officers to agree the date of North Ayrshire's withdrawal from the Joint Committee with Renfrewshire and Inverclyde Councils;
- c) That once the Council has withdrawn, strategic functions formally delegated to the Park Authority be delegated to Cabinet and operational functions be delegated to the Executive Director of Communities; and

- d) Note that the Council will continue to liaise with Renfrewshire and Inverclyde Councils to ensure the protection and enhancement of the Park's natural environment.

#### **4. Implications/Socio-economic Duty**

##### **Financial**

- 4.1 North Ayrshire Council's withdrawal from the Clyde Muirshiel Regional Park agreement would result in a saving of £40,000.

##### **Human Resources**

- 4.2 None

##### **Legal**

- 4.3 The withdrawal from the partnership will be managed by the Council's Legal Service.

##### **Equality/Socio-economic**

- 4.4 None.

##### **Environmental and Sustainability**

- 4.5 The Park area within North Ayrshire will include the last remaining wild land within mainland North Ayrshire, which is of significant value in terms of scenery, landscape and biodiversity. While the Park's publicly-funded recreational facilities lie outwith North Ayrshire, there will still be a need to adopt an integrated approach to the Park, in consultation with Renfrewshire and Inverclyde Councils. This recognises the fact that in such upland areas, Council boundaries are artificial constructs which are neither recognised by wildlife nor developers. This supports the Scottish Government's National Outcome to "Value and enjoy our built and natural environment and protect it and enhance it for future generations", incorporated into the Local Development Plan policies for the area.

##### **Key Priorities**

- 4.6 The Clyde Muirshiel Park supports the Council priority that "North Ayrshire is a vibrant, welcoming and attractive environment"

##### **Community Wealth Building**

- 4.7 North Ayrshire has no facilities or services within the park and no staff are employed within North Ayrshire. However, as the last remaining wild upland area in Renfrewshire, Inverclyde and the mainland of North Ayrshire the Park has benefits in terms of tourism, and health which support community wealth building.

## **5. Consultation**

5.1 Discussions have taken place with Renfrewshire Council and Inverclyde Council.

Audrey Sutton  
Interim Executive Director (Communities)

For further information please contact **Audrey Sutton, Interim Executive Director (Communities)**, on **01294 324414**.

### **Background Papers**

Appendix 1 - Clyde Muirshiel Agreement 2004

FIRST SCHEDULE REFERRED TO IN THE FOREGOING MINUTE OF  
AGREEMENT

PART ONE

The Functions with regard to the Clyde Muirshiel Park to be delegated by the three  
Councils to the Clyde Muirshiel Park Authority shall be those contained within:

COUNTRYSIDE (SCOTLAND) ACT 1967

Section Rubric

S.33(i)	insofar as it relates to bringing public paths into fit condition, and maintenance thereafter.
SS.39-42	insofar as they relate to operation, management, maintenance, etc. of long distance routes.
SS.43-45	Ploughing of rights of way, pasturing of bulls; power to authorise erection of stiles, etc., on public rights of way.
S.46(2)&(3)	Protection and maintenance of rights of way.
S.48	insofar as it relates to management etc., of Country Parks.
S.48A,(2)(b)	management of Regional Parks.
S.,49(1), (2)(b),3	provision and maintenance of camping sites; provision of services for use on sites and charging for use thereof.
S.50(1)	provision of accommodation, meals and refreshments.
/s,51(1)	provision of parking places.
S.53	contributions by or to local authorities.
SS.61-62	improvement of waterways for purposes of open air recreation.
AS.65	appointment of rangers, in relevant areas.

## LOCAL GOVERNMENT (DEVELOPMENT AND FINANCE) (SCOTLAND) ACT 1964

### Section Rubric

- S.2 except insofar as it relates to land acquisition.
- S24 insofar as it relates to operation, maintenance and management, etc., of caravan sites.

## REFUSE DISPOSAL (AMENITY) ACT 1978

### Section Rubric

- S.1 Provision of disposal of refuse.
- S.3(1),(3),(4) Removal of abandoned vehicles.
- S.,4 disposal of removed vehicles.
- S.5 Recovery of expenses connected with removed vehicles.
- S.,6(1)&(3),  
(4)&(6), (7)  
(8) Removal and disposal etc. of other refuse.

## LOCAL GOVERNMENT AND PLANNING (SCOTLAND) ACT 1982

### Section Rubric

- S.15 Provision of recreational, sporting, cultural and social facilities and activities.
- S.16(1) Supplementary provisions permitting facilities to be run by other persons; charging for admission/participation, management of parks, concessions for shops, stalls and restaurants, etc.
- S.20(b) insofar as it relates to improving, maintaining and managing a harbour, pier, boatslip or jetty
- S.26 Functions in relation to the provision of public conveniences.
- S.30 Power to provide and maintain roadside seats.

## PART TWO

The Powers and Duties with regard to the Clyde Muirshiel Park to be exercised by the three Councils on the advice of the Clyde Muirshiel Park Authority shall be those contained within

### COUNTRYSIDE (SCOTLAND) ACT 1967

<u>Section</u>	<u>Description</u>
S.12	Countryside Commission for Scotland to consult with local planning authorities and other bodies on access requirements.
S.13	Access agreement.
S.14	Access Orders.
SS.16-20	Effect of access agreement or order on rights and liabilities of persons interested in land; Provisions for securing safe and sufficient access; Power of local planning authority to force access; Suspension of public access to avoid risk of fire; Compensation for access orders.
S.24	Acquisition by local planning authorities of land for public access.
S.26	Maps of land subject to public access.
SS.30-38	Creation of public paths by agreement; Compulsory powers for creation of public paths; Making up and maintenance of public paths; Closure of public paths; Diversion of public paths; Compensation for creation, diversion and closure of public paths; Supplementary provisions as to creation, closure and diversion of public paths.
SS.39-42	General provisions as to long distance routes; Approval of proposals relating to a long distance route; Ferries for purpose of long distance routes; Variation of approved proposals.
S.46(1)	Assertion of rights of way.



### COUNTRYSIDE (SCOTLAND) ACT 1967 (Cont'd)

<u>Section</u>	<u>Description</u>
S.48A	Regional Parks (excluding Section 48(A)(2)(b))
S.49(2) (a)(4)	Acquisition of land in use or laid out as a camping site Compulsory acquisition.
S.49A	Management Agreements.
S.50(2)	Compulsory Acquisitions.
S.51(2)	Compulsory Acquisitions.
S.54	Byelaws.
S.56A	Byelaws for the control of engine noise in quiet areas.
S.69(3)	Acquisition, appropriation and disposal of land.
S.75	Powers of entry.

### THE PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT 1997

<u>Section</u>	<u>Description</u>
SS.1-7 and SS.53-56	List of buildings of special architectural or historic interest control of works for demolition Alterations or extensions of listed buildings Acts causing or likely to result in damage to listed buildings Building preservation notice in respect of building not listed
SS.42-46	Compulsory acquisition of listed buildings

### TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

<u>Section</u>	<u>Description</u>
SS.59A, 159-163, 167,168(4) and 172-175	Planning permission to include appropriate provision for preservation and planting of trees; Tree preservation orders; Provisional tree preservation orders; Replacement of trees.

## LOCAL GOVERNMENT (SCOTLAND) ACT 1973

### Section Description

SS.201-204	Byelaws for good rule and government. Procedure, etc. for byelaws; Register of byelaws; Revocation of byelaws by resolution; Offences against byelaws; Evidence of byelaws.
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