

North Ayrshire Council
17 February 2021

At a Meeting of North Ayrshire Council at 1.00 p.m. involving participation by remote electronic means.

Present

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

In Attendance

C. Hatton, Chief Executive; R. McCutcheon, Executive Director (Place); A. Sutton, Executive Director (Communities and Education); K. Yeomans, Director (Growth and Investment); C. Cameron, Director (Health and Social Care Partnership); and M. Boyd Head of Finance, A. Fraser, Head of Democratic Services, A. Craig, Senior Manager (Legal Services), M. McColm, Senior Manager (Communications), H. Clancy, E. Gray and A. Little, Committee Services Officers and M. Anderson, Senior Manager (Committee and Member Services) (Chief Executive's Service).

Chair

Provost Clarkson in the Chair.

Apologies

Tom Marshall and Louise McPhater.

1. Provost's Remarks

The Provost welcomed Members and officers to the meeting, which was proceeding with Members in attendance on a wholly remote basis by electronic means.

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

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 Ordinary Meeting held on 16 December 2020 was confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

5. Provost's Report

Submitted report by the Provost for the period from 7 December 2020 to 7 February 2021.

The Provost highlighted a number of online events referred to in his written report, namely:

- a reception and concert hosted by the Consular Corps in Scotland prior to the Christmas break;
- the annual Christmas Concert by North Ayrshire school pupils;
- the PoppyScotland manifesto launch at the beginning of 2021;
- a Robert Burns event organised by the Civic Museum team from Guelph, Canada, to which Irvine Burns Club had contributed in the form of a video entitled "In the Footsteps of Burns and Galt";
- a reception hosted by the Chinese Consul in Edinburgh on 25 January 2021 to mark the retirement of the Chinese Ambassador to the United Kingdom; and
- a meeting with Mayor Rosetti from Voisins, France on 5 February 2021

The Provost concluded his remarks by referring to the recent passing of Bobby Davidson, the former manager of Kilbirnie Ladeside Football Club, paying tribute to the contribution he had made in footballing circles and to his dedication to the community in which he lived. On behalf of all Members, the Provost extended his condolences to Mr Davidson's family and friends.

Noted.

Councillors McNicol and Miller joined the meeting during consideration of this item.

6. Leader's Report

Submitted report by the Leader of the Council for the period from 7 December 2020 to 7 February 2021.

Noted.

7. Council Minute Volume

Submitted for noting, the Minutes of meetings of committees of the Council held in the period 14 September 2020 to 9 February 2021.

Noted.

8. North Ayrshire Community Planning Partnership (CPP) Board: Minutes of Meeting held on 2 December 2020

Submitted report by the Executive Director (Communities and Education) on the Minutes of the meeting of the North Ayrshire Community Planning Partnership Board held on 2 December 2020.

The Chief Executive highlighted the following matters which had been discussed by the CPP Board:

- the Kickstart programme and the delivery of youth employment opportunities;
- an update on the Ayrshire Growth Deal;
- tackling poverty, including the work of the Cost of the School Day working group;
- a refresh of locality priorities informed by learning from the pandemic; and
- discussion on approaches to mental health and wellbeing in light of the pandemic.

Noted.

9. North Ayrshire Ventures Trust Ltd

Submitted report by the Chief Executive on the appointment of a new Director to the Board of North Ayrshire Ventures Trust Ltd.

The Council unanimously approved the appointment of Justin Jones to the Board of North Ayrshire Ventures Trust Ltd.

Councillor Glover joined the meeting at this point.

10. Ardrossan Harbour Update

Submitted report by the Director (Growth and Investment) on progress with the redevelopment of Ardrossan Harbour.

The Director (Growth and Investment) provided a short verbal update on the outcome of a meeting of the Ministerial Task Force earlier in the day, highlighting the following:

- the importance of ensuring legal agreements were in place prior to the pre-election period in order to avoid further significant delays in the project;
- the temporary relocation of the ferry service to Troon to ensure a reliable and consistent service during the construction works; and
- the intention to carry out an assessment of the economic impact of the temporary transfer of the service and a commitment to work with the Scottish Government to seek to mitigate this.

At the invitation of the Provost, the Leader of the Council also addressed Members on the key issues arising from the Task Force meeting. Councillor Cullinane referred to the rationale for transferring the ferry service to Troon during construction work in terms of ensuring the reliability and resilience of the service. He advised that a survey of island residents undertaken by the Arran Ferry Committee, Isle of Arran Community Council and other community groups indicated that 80% were in support of this.

Councillor Cullinane reiterated the need to ensure legal agreements were in place at an early date and the importance of seeking to mitigate any adverse economic impact of the temporary relocation of the ferry service, including with regard to low-paid workers travelling to Arran for employment.

Councillor Cullinane, seconded by Councillor Gallagher, moved that the Council:

- “(a) note the report and the progress being made;
- (b) note the findings of the December 2020 Report of the Scottish Parliament’s Rural Economy and Connectivity Committee in relation to the construction of the Glen Sannox and the Scottish Minister’s response thereto, and expresses its frustration at the delays experienced on the Ardrossan Harbour project and the delivery of the Glen Sannox;
- (c) note that Purdah is due to start on 26 March and a failure to get legal agreements signed off in principle by Scottish Ministers prior to that could potentially delay the Harbour project by months;

- (d) agree that the Chief Executive write to the relevant Ministers/Cabinet Secretaries and Peel Ports to emphasise that any further delay would be unacceptable to North Ayrshire Council and our communities and therefore our expectation is that all parties will finalise the legal agreements prior to the start of Purdah to enable the project to progress;
- (e) note the decision of the Ministerial task force this morning to recommend to Ministers that the ferry operates from Troon during the period of the construction works in order to ensure service reliability for Arran, but agrees to seek support from the Scottish Government and its agencies to mitigate any impact on jobs, local businesses and any additional pressures on those who commute to Arran for employment; and
- (f) agree the intention to engage with the Arran and mainland communities on the project.”

As an amendment, Councillor Billings, seconded by Councillor Ferguson, moved approval of the motion, subject to the following changes:

“delete (b) and replace with:

- (b) agrees with the cross-party Scottish parliamentary Rural Economy and Connectivity Committee that the Scottish Government's handling of the procurement process for the new Arran ferry (Glen Sannox) included 'catastrophic' failures resulting in the late delivery of the ferry, hugely inflated costs and is causing harm to Arran's residents and economy, and considers the Scottish Minister's dismissal of the parliamentary committee's finding as unhelpful in finding an effective solution to the issues raised by the report.

and amend (c) to read:

- (c) notes that Purdah is due to start on 26th March 2021 and a failure to get legal agreements signed off in principle by Scottish Ministers prior to that could potentially delay the Harbour project by months. The Council, therefore, agrees that the Chief Executive writes to the relevant Ministers/Cabinet Secretary's and Peel Ports to emphasises that any further delay would be unacceptable to North Ayrshire and our communities. In addition the Chief Executive will urge the Minister to accept the findings of the Parliamentary committee report and ask him how he intends to address the recommendations of the report that will ensure that future ferry and harbour projects will be delivered on time and on budget.”

In terms of Standing Order 5.7, the Provost agreed that the meeting be adjourned at 1.50 p.m. to allow Members to consider the motion and amendment. The meeting reconvened at 2.00 p.m. with the same Members and officers present and in attendance.

Councillor McNicol intimated his intention to move, as a further amendment, approval of Councillor Billings' amendment, subject to the inclusion at (b) of a reference to harm to the residents of Ardrossan as well as to those of Arran.

In terms of Standing Order 14.5, Councillor Billings, with the agreement of his seconder, agreed to alter his amendment to incorporate Councillor McNicol's proposed amendment.

Members then asked questions of clarification of the Director and the proposer and seconder of the motion and amendment and received clarification on the following:

- discussions between the Leader and a number of Members in advance of the Council meeting;
- connectivity issues arising from the distance between Troon Harbour and the train station;
- the likely timescale for public consultation on the proposals;
- the anticipated duration of the construction works and reassurance that the ferry service would revert to Ardrossan thereafter; and
- any required works to Troon to accommodate the temporary transfer of the ferry service and whether there were any associated financial implications for North Ayrshire Council.

The Director (Growth and Investment) undertook to provide further information in due course on the timescale for public consultation on the proposals.

There followed debate and summing up.

On a division and a roll call vote, there voted for the amendment, Councillors Barr, Billings, Ferguson, Gallacher, George, Glover, McNicol, Murdoch, Donald L. Reid and Stephen (10) and for the motion, Councillors Bell, Brahim, Burns, Clarkson, Cullinane, Davidson, Dickson, Easdale, Foster, Gallagher, Gurney, Hill, Larsen, Macaulay, McClung, McMaster, McTiernan, Miller, Montgomerie, Donald Reid and Sweeney (21) and the motion was declared carried.

11. Operation of Community Councils During COVID-19

Submitted report by the Head of Democratic Services on the application of some provisions within the Scheme for the Establishment of Community Councils during the current COVID-19 pandemic.

Members asked a question and received clarification on funding options to meet the cost of remote meeting platforms for community councils.

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

Accordingly, the Council agreed as follows:

- (a) in terms community council elections, (i) that the 'ordinary' elections for Arran, Cumbrae, Dalry, Fairlie, Irvine, Kilbirnie and Glengarnock, Kilwinning, Largs, Skelmorlie and West Kilbride which were rescheduled to take place in Spring 2021, be further postponed until September/October/November 2021, (ii) to note that the existing 'ordinary' election arrangements for Beith and District and Saltcoats in Autumn 2021 and Stevenston Community Council in 2022, remained in place and (iii) that in the event of a request from 20 electors to establish a community council in Ardrossan, Dreghorn, Girdle Toll and Bourtreehill or Springside, no action be taken prior to November 2021;
- (b) in respect of any elections in 2021, that authority be delegated to officers to make such adjustments to the election procedures set out in the Scheme as might be required in light of COVID-19;
- (c) that the term of office of existing community councils and their members which would otherwise have come to an end on 30 April 2021 in terms of the previous Emergency Governance decision, be extended until 30 November 2021 (or effectively until the postponed ordinary elections had taken place);
- (d) in the interim, whilst community councils could meet on a remote basis, they were not required to do so, nor were they subject to the usual requirement to meet at least six times per year, and any decisions which community council required to take during this period could be taken remotely via consultation with their members, including decisions relating to the appointment of new members; and
- (e) that the Council would not exercise the power to dissolve a community council during this period.

12. Questions

In terms of Standing Order 12, submitted:

- (1) a question by Councillor Donald L. Reid to the Cabinet Member for Health and Social Care in the following terms:

"In the light of high levels of social isolation and loneliness experienced by many since the beginning of the Corona pandemic which began in March 2020, can the Leader (or relevant cabinet member) advise of the number of suicides in North Ayrshire which occurred between 1 January - 31 December 2019 and (if figures are currently available) for the period 1 January – 31 December 2020 (or to period in 2020 for which figures are available) and are any special measures currently in place to support those at risk of committing suicide?"

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

“We are all acutely aware of the impact of social isolation on our communities which has been exacerbated during the pandemic. In response to the specific question, sadly the number of completed suicides which took place during 2019 were 18 in North Ayrshire. There is no data currently available for 2020, the figures are not expected to be provided by the registrar’s office until mid to late 2021.

To support our communities during the period of the pandemic suicide prevention and mental health resources and information have been made available to all the community support hubs, alongside training provided to the North Ayrshire Council customer contact centre staff at the outset of the lockdown.

In addition, the North Ayrshire Young People’s Suicide Taskforce set up after a number of young people completed suicide, has focussed on prevention for young people including a multi-agency crisis response, targeted social media campaigns, support pathways for those at risk and training for both staff and senior pupils. We also continue to work with NHS Ayrshire and Arran on the Distressed Children’s Pathway.

The Pan Ayrshire Suicide Prevention Group has developed an action plan including identifying key at risk groups from local and national evidence sources, meeting with Police Scotland to create an efficient and safe information sharing protocol and the continuation and expansion of training to continue the programme of suicide prevention training established over many years. There are also crisis response services in place across Ayrshire with North Ayrshire being a key partner, including Distress Brief Interventions (DBI) where individuals in distress who present to key services receive an appropriate response either from a first responder or being linked in with support workers to help them through their immediate crisis and look at future management. This is currently being rolled out in pilot GP surgeries and Penumbra has been commissioned to provide the support service.”

(2) a question by Councillor Donald L. Reid to the Cabinet Member for Health and Social Care in the following terms:

“Can the Cabinet Member for Health and Social Care provide an update on the number of planned operations which have been cancelled at Crosshouse University Hospital between 1 April 2020 and 31 December 2020 due to the Covid pandemic; and what actions are being taken to reduce the operations backlog?”

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

“The NHS Ayrshire and Arran decision to cancel elective appointments at the outset of the COVID-19 pandemic was a necessary step to ensure the safety of the population. A re-mobilisation process commenced over the summer months and supported the re-introduction of some planned and prioritised planned care patient activity on the basis of clinical urgency. The increasing prevalence of COVID-19 during the autumn months however resulted in a decision to again pause planned care.

Public Health Scotland reports key statistics on the number of planned operations, the number cancelled and the reason for cancellations at Hospitals across Scotland, this information is publicly available on the ISD Scotland website. For Crosshouse Hospital from a total of 1,730 scheduled elective operations from April to December 2020, 7.6% of those operations were cancelled either by NHS Ayrshire and Arran or the individual patient. The number of reported planned operations during that period being at a reduced level based on the step down of planned care.

The Health Board Re-mobilisation Plan 3 which will cover the period April 2021 to March 2022 will focus on beginning to recover routine and planned care services, NHS Ayrshire and Arran will publish plans for the recovery of planned operations when fully developed and agreed.

Data for information only:

NB – note that during 2019-20 Crosshouse Hospital averaged at 810 planned operations a month

| Health Board / Hospital Name | Apr-20 | May-20 | Jun-20 | Jul-20 | Aug-20 | Sep-20 | Oct-20 | Nov-20 | Dec-20 |
|---|--------|--------|--------|--------|--------|--------|--------|--------|--------|
| University Hospital Crosshouse | | | | | | | | | |
| Total Number of scheduled elective operations in theatre system | 23 | 44 | 120 | 227 | 322 | 284 | 326 | 208 | 176 |
| Total no of scheduled elective cancellations in theatre systems | 2 | 4 | 5 | 23 | 14 | 25 | 24 | 19 | 15 |
| Cancellation based on clinical reason by hospital | 1 | 3 | 4 | 16 | 12 | 16 | 15 | 8 | 8 |
| Cancellation based on capacity or non-clinical reason by hospital | 0 | 0 | 0 | 0 | 1 | 3 | 2 | 1 | 4 |
| Cancelled by Patient | 1 | 1 | 1 | 7 | 1 | 5 | 7 | 10 | 3 |
| Other reason | 0 | 0 | 0 | 0 | 0 | 1 | 0 | 0 | 0 |

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

"Can the Cabinet Member for Green New Deal and Sustainability provide Elected Members with an update on progress with the 2020/21 Roads Repair programme, with particular reference to roads in the Garnock Valley area included in that programme?"

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

“Despite the challenges presented by the ongoing pandemic, the 2020/21 Roads Investment Plan is largely complete. There are two remaining resurfacing projects in Kilwinning outstanding, but these are planned for completion by the end of March 2021 and a small number of projects have been re-scheduled to 2021/22 due to planned utility works.

Projects completed within the Garnock Valley as part of the current year’s investment plan include resurfacing and screeding works. The works within the Garnock Valley were carried out at a total cost of £540,000 from the Council’s overall annual capital investment. Works were completed at the following urban locations: Sycamore Avenue, Beith; Houston Crescent, Blairlands Drive and Baidland Avenue, Dalry; and Fudstone Drive, Mossend Avenue, Glenriddet Avenue, Kilbirnie.

In terms of rural locations, the following works have been completed this year: C69 near Beith, U11/12 near Beith, the U32 Auchengree Road, U53 Sandy Road, U44 at Middleton and improvement works on the C80 Whisky Bond road.

As I mentioned earlier, due to planned utility works taking place, a small number of projects have been rescheduled for early delivery in the 21/22 plan, this includes resurfacing works at the U26 Geirston Road.

Separately, approximately £130,000 will be invested in improvements to Beith Main Street, funded from the Town Centre Regeneration Fund, with these works scheduled to commence next month.

The proposed Roads Investment Plan for 2021/22 is currently being finalised and is scheduled for Cabinet consideration on 23 March 2021.”

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

"The report by Derek Feeley on the independent review of adult social care in Scotland was published this month.

Amongst other recommendations it suggested the formation of a National Care Service.

Does the portfolio holder agree that:

a. the Scottish Government’s overhaul of Social Care 5 years ago, which was supposed to integrate Council community support services with the NHS through the setting up of Integrated Joint Boards, has failed?

b. the formation of a National Care Service is yet another example of the Nationalist Government pursuing its Central Command and Control Policies to the exclusion of Local Councils?"

In Councillor Marshall's absence, no other Member indicated that they wished, in terms of Standing Order 12.5, to ask this question. Accordingly, the question was deemed to have been withdrawn.

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

"Can the Chair of Planning please confirm how many people have formally asked in writing to speak at the Planning Committee when it considers the Riggill Wind Farm Application and confirm the date they were received?"

In Councillor Marshall's absence and in his capacity as Vice Chair of the Planning Committee, Councillor Billings thanked the Member for his question and responded in the following terms:

"I can confirm that Skelmorlie Community Council, Fairlie Community Council and Cllr Murdoch have all requested to address the Planning Committee on the Riggill application. The dates of the requests are:

- Fairlie Community Council – 4 November 2020 is the date of their formal written request although they were in discussion with planning officers from May 2020
- Skelmorlie Community Council – 5 November 2020
- Cllr Murdoch – 8 June 2020."

As a supplementation question, Councillor Murdoch asked whether there was any reason why any of the parties mentioned would be refused the opportunity to speak, provided they had complied with the relevant guidance.

Councillor Billings responded by advising that the relevant guidance provided for ten minutes in total for objectors to address the meeting, meaning that objectors required to liaise with each other to agree who would speak. Councillor Billings indicated that he was otherwise unaware of any criteria by which someone might be refused the opportunity to speak and undertook to look into this for Councillor Murdoch.

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

"Can the Leader of the Council please confirm what action North Ayrshire Council has taken regarding the incident at Hunterston Jetty on Tuesday 2nd February 2021 involving DS4 & DS8 Drilling Ships and will there be a full investigation?"

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

“As the incident involving the two drill ships occurred off-shore, the Maritime and Coastguard Agency (MCA) were the lead agency for this incident. The MCA officially informed us of the incident the next morning and have since provided regular updates. At no time was Council assistance requested.

It will be for the Maritime and Coastguard Agency and the Marine Accident Investigation Board to determine what, if any, investigation is required into this incident. In relation to the operation of the jetty at Hunterston, this is the responsibility of Clydeport as harbour authority.”

As a supplementation question, Councillor Murdoch referred to the jetty’s location within the Hunterston Park site and asked whether, in light of the significant risk which volunteers had faced in responding to the incident, the Leader would support Fairlie Community Council’s request for a full independent inquiry by the Marine Accident Investigation Board.

Councillor Cullinane responded by indicating his willingness to look at the information from Fairlie Community Council, but suggested that, had the Member wished the Council to commit to a particular course of action, it would have been more appropriate for him to have submitted a motion rather than a question.

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

"In my Ward, I noticed electric car charging points have been installed in car parks in West Kilbride and Dalry. Can I ask the Leader who paid for these installations?"

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

“We had installed one rapid EV Charger at Main Street Car Park, West Kilbride in July 2019 and one rapid EV charger in Smith Street Car Park, Dalry in January 2021.

The capital cost for both EV chargers are funded in full by Transport Scotland’s Local Authority Installation Programme. The electricity cost associated with operating the EV chargers are paid for by the Council.

Officers are currently finalising an Electric Vehicle Charging Strategy which will be considered by Cabinet shortly and will provide details of how we intend to encourage and facilitate the increased use of electric vehicles across North Ayrshire as part of our commitment towards becoming carbon net zero by 2030.”

As a supplementation question, Councillor Barr referred to the absence of a filling station in West Kilbride and Dalry and asked whether the Council would consider building such facilities for these two towns, given that many people did not have an electric vehicle.

Councillor Cullinane responded by suggesting that, if Councillor Barr wished to develop a plan for a municipal filling station in Dalry or West Kilbride, the Council would look at it. The Leader advised, however, that the direction of travel set out by national government was a move away from fuel powered cars to electric vehicles and that the Council was working to meet its commitments in that regard.

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

“What percentage of goods and services paid for by NAC actually comes from businesses or suppliers with their headquarters or place of business within North Ayrshire?”

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

“The Annual Public Performance Report includes an indicator for % of procurement spent on local enterprises. For 2019-20 it was 19.18%, an increase of 1.75% from 2018-19 (17.43%) and the highest percentage for ten years.

Procurement is of course one of the key pillars of our Community Wealth Building strategy. The aspiration as reflected in the Council Plan’s performance management framework is that we work towards a target of 26% by 2024. We must achieve that within current procurement guidelines and legislation, but we have made immediate changes to some of our procurement processes, such as on Quick Quotes and Wave Planning, to help achieve that. Fundamental to any success will be ensuring that the Business team builds capacity within the local market so that local businesses are able to bid for contracts and to be competitive when they do so. That’s why we allocated resources in last year’s budget to increase the business team’s capacity and to recruit a procurement development officer to work on Community Wealth Building.

It is important to emphasise that our Community Wealth Building strategy is not about the work of the Council in isolation from the rest of the public, private and third sector. We are taking an anchor approach to Community Wealth Building and already East and South Ayrshire Councils, NHS Ayrshire and Arran, Ayrshire College, Scottish Enterprise and TACT have signed our Anchor Charter which commits them to a number of pledges, including some on procurement.”

As a supplementation question, Councillor Gallacher asked whether the Leader could consider what might be done to reduce the turnover threshold in order to allow more small local companies to bid for contracts.

Councillor Cullinane responded by confirming that work was being carried out by the Council's cross-service Procurement Board to seek to facilitate access by local businesses to smaller contracts, subject to compliance with the legal framework in force. The Leader suggested that the Member raise with the Procurement team any particular cases of concern.

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

"During the discussion on setting the Hunterston DEPZ (Detailed Emergency Planning Zone), you said, "I have read the papers and listened for a year now to the advice we are getting and don't see how we, within the framework that's set for us as a Council, can make any other decision than the one that is recommended within the paper." Does the Leader of the Council think that the whole process of being given the responsibility and then making the decision was fair and unrestricted and is he happy with the outcome?"

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

"The report to December Council fully explained the extent of the discretion available to Council in setting the DEPZ. If Councillor Murdoch needs more clarity, he only needs to re-read the report presented to Members.

Given that the DEPZ was unanimously approved, I would assume that all Members are satisfied that the Council has exercised its responsibility to set DEPZ within the powers that Parliament has given us."

As a supplementation question, Councillor Murdoch asked why the Council was given the responsibility of setting the DEPZ when there was so little flexibility within this framework.

Councillor Cullinane responded by advising that the Council had had no involvement in setting the decision-making framework which was in place. He noted that Council's decision with regard to setting the DEPZ had been unanimous and so assumed that Councillors were happy with the way in which the Council discharged its duties on this occasion.

13. Motions

In terms of Standing Order 13, submitted:

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

"Over 10 years ago plans to enable a phased replacement of Scotland's subsidised ferries, including for the Arran route, were drawn up. Over 6 years ago at a public meeting in Brodick we were told there would be a new ferry for the Arran route coming into service in 2018 and that it would be designed to cope with Ardrossan harbour. Now in 2021 with over £150 million already spent, we are still waiting for that ferry that is in no way designed to cope with Ardrossan.

The cross-party Scottish parliamentary Rural Economy and Connectivity Committee enquired into what has happened to Arran's ferry, and published their report in December 2020. The report identified 'catastrophic' failings by those involved including the SNP Scottish government and the publicly owned ferry procurement company. The report includes recommendations to remedy the errors made. However, in response to the report the Scottish Minister for Energy, Connectivity and the Islands, Mr Wheelhouse, said in effect that the report is wrong, that the Scottish government is not at fault and that it did all it could to procure the Arran ferry.

If the Minister, Mr Wheelhouse, thinks that wasting £100s of millions of tax-payers' money to produce the shells of two ferries already over 3 years late is a good use of time and money, one does wonder what he is thinking about. Parliamentary committees are there to scrutinise the actions of the government, and the government is accountable to parliament. When errors are made, they must be recognised and changes made to make improvements. Otherwise further waste will result and it is our communities and economy that suffer.

I therefore move that North Ayrshire Council:

- a. agrees that the Scottish Minister for Energy, Connectivity and the Islands must accept the findings of the ferry enquiry's report, and must establish new systems of working for the future procurement of ferries that take account of the report's recommendations so as to address the failings of the current processes; and
- b. directs North Ayrshire Council's Chief Executive to write to the Minister for Energy, Connectivity and the Islands informing him of the Council's opinions; reminds the Minister of the harm that is being caused to North Ayrshire's island communities due to the inadequate ferry services and asks the Minister to how he intends to address the issues raised in the report so that future ferry procurement processes are fit for purpose and produce ferries in a timely and cost effective manner."

The Council noted that the mover and seconder no longer wished to move this motion, given that the substance of this matter had been dealt with in terms of Agenda Item 9 (Ardrossan Harbour Update).

No other Member indicated that they wished, in terms of Standing Order 13.1, to move the motion.

Accordingly, the motion was deemed to have been withdrawn.

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

"The Council delivery plan which forms part of our strategic planning approach has helped to lay the foundations to counter the centralising approach of the Scottish Government towards local government, which has resulted in North Ayrshire being one of the lowest funded councils over the last decade.

We are concerned that this ongoing situation is having a detrimental impact on its ability to provide important public services for our citizens both now and in the future.

In order to look at alternatives to ensure North Ayrshire can reach its full potential we suggest that the Chief Executive to write to the Secretary of State for Scotland asking him if the UK government would consider dealing directly with COSLA and North Ayrshire Council in considering allocating grant funding, to ensure that North Ayrshire Council receives its fair share of funding.

We note the existence of the Scottish Government's document "Scottish Shared Prosperity Fund" and the UK Government's decision, announced in the Spending Review, to use its replacement for EU Structural Funds to work in partnership with local authorities and communities right across Scotland to ensure local accountability.

We move that the Council:

1. agrees Devolution is the settled will of the Scottish people;
2. agrees Devolution has been beneficial for Scotland and the rest of the United Kingdom;
3. regrets that local government continues to be at the forefront of SNP austerity;
4. instructs the Chief Executive to write to the Secretary of State for Scotland asking him if the UK government would consider dealing directly with COSLA and North Ayrshire Council in considering allocating grant funding, to ensure that North Ayrshire Council receives its fair share of funding; and

5. instructs the Chief Executive to write to COSLA confirming that North Ayrshire Council supports the UK Government's localised approach which would allow North Ayrshire Council to spend our share of future UK Shared Prosperity Funding in line with the Council Delivery Plan which supports the Local Outcome Improvement Plan."

Councillor Ferguson intimated that he no longer wished to move the motion. Councillor Marshall, as his seconder, was not present.

No other Member indicated that they wished, in terms of Standing Order 13.1, to move the motion.

Accordingly, the motion was deemed to have been withdrawn.

The meeting ended at 3.15 p.m.