



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council

A Meeting of North Ayrshire Council will be held remotely on **Wednesday, 08 December 2021** at **14:00** to consider the undernoted business.

Arrangements in Terms of COVID-19

In light of the current COVID-19 pandemic, this meeting will be held remotely in accordance with the provisions of the Local Government (Scotland) Act 2003. Where possible, the meeting will be live-streamed and available to view at <https://north-ayrshire.public-i.tv/core/portal/home>. In the event that live-streaming is not possible, a recording of the meeting will instead be available to view at this location.

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 the Ordinary Meeting held on 27 October 2021 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 Provost's Report

Submit report by the Provost for the period 18 October - 28 November 2021 (copy enclosed).

5 Leader's Report

Submit report by the Leader of the Council for the period covering 18 October - 28 November 2021 (copy enclosed).

- 6 Minute Volume (issued under separate cover)**
Submit, for noting and for approval of any recommendations contained therein, the Minutes of Meeting of committees of the Council held in the period 29 April - 29 November 2021.
- 7 Appointment of Statutory Officer - Chief Social Work Officer**
Submit report by the Head of Democratic Services on the appointment of the Chief Social Work Officer (copy enclosed).
- 8 Hybrid Committee Meetings Pilot Update**
Submit report by the Head of Democratic Services to provide an update on the continued hybrid committee meetings pilot in November 2021 (copy enclosed).
- 9 Highlands and Islands Regional Economic Partnership**
Submit report by the Chief Executive on the developing proposals for a Highlands and Islands Regional Economic Partnership (copy enclosed).
- 10 The Boundary Commission for Scotland: 2023 Review of UK Parliament Boundaries in Scotland**
Submit report by the Head of Democratic Services on the Boundary Commission for Scotland's 2023 Review of UK Parliament Constituencies in Scotland (copy enclosed).
- 11 Boundaries Scotland: 2019 Review of Electoral Arrangements**
Submit report by the Head of Democratic Services on the new Electoral Arrangements for the North Ayrshire Council area following a review by Boundaries Scotland (copy enclosed).
- 12 Compulsory Purchase - 2 Montgomerie Road, Saltcoats**
Submit report by the Head of Democratic Services on the proposed compulsory purchase of the site of the now demolished 2 Montgomerie Road, Saltcoats (copy enclosed).
- 13 Questions**
In terms of Standing Order 12, submit:-

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

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

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

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

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

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

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

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

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

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

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

My question relates not to the services that will be offered by such a facility, but to the openness, transparency and accountability in this council and how we interact with the people we represent.

Will the Leader of the Council inform members what meetings/discussions took place with Elected Members and North Ayrshire Council officers prior to this decision being made? Will he also inform members who made the decision and what Consultation was carried out with local Elected Members and residents of Saltcoats prior to this decision?”

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

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

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

Additional works carried out in 2020 and 2021 include:-

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

"Noting that the Cabinet declared a climate change emergency in June 2019, how many members of the administration party now drive an electric vehicle?"

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

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

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

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

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

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

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

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

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

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

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

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

14 Motions

In terms of Standing Order 13, submit:-

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

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

(i) that Planning Officers prepare a detailed response to the consultation for consideration and approval by the Planning Committee and

(ii) that the response to the consultation includes the proposal that development of infrastructure for the generation and storage of electricity at Hunterston should include emerging small nuclear reactors subject to appropriate legislation and regulation."

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

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

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

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

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

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

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

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

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

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

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

I therefore propose the following motion:-

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

15 Urgent Items

Any other items which the Chair considers to be urgent.

Webcasting - Virtual Meeting

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North Ayrshire Council Sederunt

Ian Clarkson (Provost)
Robert Barr (Depute Provost)
John Bell
Timothy Billings
Marie Burns
Joe Cullinane
Scott Davidson
Anthea Dickson
John Easdale
Todd Ferguson
Robert Foster
Scott Gallacher
Alex Gallagher
Margaret George
John Glover
Tony Gurney
Alan Hill
Christina Larsen
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
Ronnie Stalker
Angela Stephen
John Sweeney

Chair:

Apologies:

Attending: