



North Ayrshire Council
Comhairle Siorrachd Àir a Tuath

North Ayrshire Council Meeting

14 February 2024

VOLUME OF MINUTES

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North Ayrshire Health and Social Care Partnership

**Minute of Integration Joint Board meeting held on
Thursday 16 November 2023 at 11.00 a.m.**

**involving participation by remote electronic means and physical attendance
within the Council Chambers, Irvine.**

Present (Physical Participation)

Voting Members

Councillor Margaret Johnson, North Ayrshire Council (Chair)
Joyce White, NHS Ayrshire and Arran (Vice-Chair)
Councillor Anthea Dickson, North Ayrshire Council

Professional Advisers

Caroline Cameron, Director of Health and Social Care Partnership
Paul Doak, Head of Service (HSCP Finance and Transformation)/Section 95 Officer
Scott Hunter, Chief Social Work Officer
Sharon Hackney, Lead Allied Health Professional
Leigh Whitnall, Head of Psychological Specialties

Stakeholder Representatives

Louise McDaid, Staff Representative (North Ayrshire Council)/Chair, North Coast
Locality Forum

Present (Remote Participation)

Voting Members

Councillor Timothy Billings, North Ayrshire Council
Christie Fisher, NHS Ayrshire and Arran

Professional Advisers

Elaine Young, Public Health Representative

Stakeholder Representatives

Pamela Jardine, Carers Representative
Vicki Yuill, Third Sector Representative

In Attendance (Physical Participation)

Eleanor Currie, Manager, HSCP
Kerry Logan, Head of Service (Health and Community Care)
Michelle Sutherland, Partnership Facilitator, HSCP
Betty Saunders, Senior Manager (Contracts and Commissioning)
Julie Barrett, NHS Ayrshire and Arran
David Jamieson, Audit Scotland
Fiona Mitchell-Knight, Audit Scotland
Diane McCaw, Committee Services Officer
Hayley Clancy, Committee Services Officer

Apologies

Marc Mazzucco, NHS Ayrshire and Arran
Elizabeth Stewart, Head of Service (Children, Families and Criminal Justice)
Thelma Bowers, Mental Health Adviser

1. Apologies for Absence

Apologies for absence were noted.

2. Declarations of Interest

There were no declarations of interest in terms of Standing Order 7.2 and Section 5.14 of the Code of Conduct for Members of Devolved Public Bodies.

3. Minutes

The accuracy of the Minutes of the meeting held on 12 October 2023 were confirmed and the Minutes signed in accordance with Paragraph 7(10) of Schedule 7 of the Local Government (Scotland) Act 1973.

3.1 Matters Arising from the Action Note

Updates in terms of the Action Note were detailed as follows: -

- **Implementation of the National CAMHS and Neurodevelopmental Specifications** – Formal report to be presented to IJB in December 2023.
- **Director’s Report: Commissioned Services** - on the agenda for the meeting.
- **Director’s Report: Community Mental Health Fund** – Update on year 1 and year 2 fund to be presented to a future meeting.
- **Director’s Report: Audit Scotland report** - Update scheduled for February 2024.
- **Chief Social Work Officer Annual Report: Justice Services Update** – Update to be brought early 2024.

4. Director’s Report

Submitted report by Caroline Cameron, Director (NAHSCP) on the developments within the North Ayrshire Health and Social Care Partnership.

The report provided an update on the following areas: -

- Health and Care (Staffing) (Scotland) Act 2019 comes into force on 1 April 2024;
- The Scottish Government published Good Practice Guidance on Delayed Discharges that aims to provide HSCPs models of good practice to support a reduction in delayed discharges where adults lack capacity;
- Section 23 of the Mental Health (Care and Treatment) (Scotland) Act 2003 places a duty on Health Boards to provide sufficient services and accommodation for all young people up to the age of 18 years who require hospital admission for the treatment of mental disorder. As part of its monitoring duties the Commission routinely gathers information about the admission of young people to non-specialist wards (usually adult mental health wards) and reports on these admissions on an annual basis. The latest annual report

published was on 2 November 2023 and can be accessed via this link <https://www.mwcscot.org.uk/node/2096>;

- The Mental Health and Wellbeing Delivery Plan 2023-2025 and the Mental health Welling Workforce Action Plan 2023 – 2025 recently published by the Scottish Government;
- A new Waiting Well Hub launched on NHS Inform, to support people who may be waiting to see a healthcare specialist or to get health and social care services. The Hub aims to provide access to better information to support people to proactively manage their health and wellbeing, to think about what matters to them and what health improvements they could make during this time;
- The Health and Social Care Winter Preparedness Plan for 2023/24, was published on 24 October 2023 - <https://www.gov.scot/isbn/9781835214343>;
- On 25 October 2023, the First Minister announced that young people transitioning from the care system into adulthood are to receive a one-off Care Leaver Payment of £2,000 to support them to move into adulthood and more independent living with a public consultation on the Care Leaver Payment launched and will run until 26 January 2024;
- Carolyn McDonald, Chief AHP Officer with the Scottish Government visited Ayrshire on Monday 30 October 2023. The visit provided a useful opportunity to showcase the positive AHP contribution to the people of Ayrshire;
- The IJB were advised of the Care Inspectorate issuing North Ayrshire HSCP formal notification of a joint inspection of Adult Support and Protection across agencies including Social Work, Health, and Police. The partnership position statement was submitted on 8 November. The first stage of the inspection will commence on 27 November 2023 with the casefile reading and will be followed up with focus groups;
- North Ayrshire Libraries were winners at the Scottish Library & Information Council (SLIC) Awards on 3rd November for their pioneering work in supporting those recovering from problematic alcohol and/or other drug use;
- The Dirrans Centre had two finalists in the Working North Ayrshire Awards on 2nd November 2023. Michael was a finalist in the Volunteer of the Year Category and Abby Anderson was voted Modern Apprentice of the Year;
- Tracey McAllister, Charge Nurse was the recipient this month of The Bill Gray Award for excellence in dementia care. The photo is of her, the team and Annabelle Gray who set up the award a few years ago in recognition of the excellent care her husband Bill received in Iona /Lewis Ward at Ailsa Hospital;
- Students of RAMH North Ayrshire Wellbeing & Recovery College have released a single as part of the Scottish Mental Health Arts Festival, which took place during October;
- the appointment of Dr Wendy Van Riet to the Director of Psychological Services for NHS Ayrshire & Arran based within North Ayrshire HSCP as the Lead HSCP for Mental Health Services; and
- Elizabeth Stewart has been appointed the Head of Service (Children, Families & Justice).

Noted.

5. Contract and Commissioning Update

Submitted report and received presentation by Betty Saunders, Senior Manager (Contracts and Commissioning) on the current Contracts and Commissioning

landscape. The types of care and support services commissioned was set out at Appendix 1 to the report.

The presentation highlighted the North Ayrshire Care and Support market profile, 2022-2023 financial year spend, current purchase routes, monitoring the quality of care, managing care deficiencies, existing supports for providers, challenges and opportunities, snapshot of mid-October, priorities for 2024,

Members asked questions and were provided with further information in relation to: -

- distress brief intervention figures;
- difficulties in commissioning residential step down care and next steps to move this forward;
- current supports in place for external providers who may fall below the minimum performance grade.

Noted.

6. 2023 – 2024 Month 6 Financial Performance

Submitted report by Paul Doak, Head of Service (HSCP Finance and Transformation), on the IJB's financial performance as at month 6 (September). Appendix A to the report detailed the Objective Summary as at 30 June 2023, Appendix B provided the financial savings tracker and the budget position was set out at Appendix C.

Members asked questions and were provided with further information in relation to: -

- the current reserves position following the reserves adjustment detailed in the Audit Scotland report;
- additional processes in place to understand the reason for the reserves adjustment and minimise the risk in the future; and
- the local government pay award settled for the majority of staff, with the back pay being paid before Christmas.

The Board agreed to (a) note (i) the overall integrated financial performance report for the financial year 2023-24 and the current overall projected yearend overspend of £3.986m, (ii) the progress with delivery of agreed savings and (iii) the remaining financial risks for 2023-24; and (b) approve the budget reductions set out at section 2.10 of the report.

7. External Audit Final Report

Submitted report by Audit Scotland on the External Audit Final Report of the audit Financial Statements.

The key messages of the report were: -

- it was expected that an unmodified audit opinion would be issued;
- appropriate and effective financial management arrangements were in place;
- the IJB reported a £3.7 million underspend against the 2022/23 budget. The main factor for the underspend was the continued workforce challenges to recruit and maintain staff in the social care sector;
- the updated medium-term financial outlook shows a cumulative estimated savings gap ranging from best case £1.1 million to worst case £22.7 million in the period to 2026/27;

- work currently ongoing to refresh the Transformation Plan to focus on the financial challenges ahead;
- The IJB has a clear strategic vision supported by its partners;
- A review of the Integration Scheme currently ongoing. A revised scheme will be considered by the end of 2023/24 and submitted to the Scottish Government for approval;
- Governance arrangements were appropriate and generally operate effectively;
- Performance management arrangements were effective with indicators and targets kept under review. These arrangements contribute to the IJB's Best Value duty;
- Performance in relation to the national measures highlights both areas of improvement and areas of declining performance over the last year.

The Partnership noted that a report on the reserves adjustment detailed in the Audit Scotland report would be brought to a future meeting.

Members asked a question and received clarification on an outstanding action from 2022/2023.

The Chair thanked Audit Scotland for their work in auditing the IJB.

Noted.

8. 2022/2023 Audited Annual Accounts

Submitted report by Paul Doak, Head of Service (HSCP Finance and Transformation) on the Audited Accounts for 2022-23, attached at Appendix 1 to the report. Appendix 2 included the letter of representation signed by the Head of Service (HSCP Finance and Transformation).

The IJB was required to produce a set of annual accounts for 2022-23. These accounts were produced within the statutory timescale and subject to independent audit by the Integration Joint Board's external auditors, Audit Scotland. Audit Scotland have given an unqualified opinion that the 2022-23 financial statements give a true and fair view of the financial position and expenditure and income of the IJB for the year, concluding that the accounts have been properly prepared in accordance with relevant legislation, applicable accounting standards and other reporting requirements. The overall financial position remains as reported to the Performance and Audit Committee in June 2023. Audit Scotland identified an accounting misstatement during the audit relating to a difference between total IJB reserves (£17.664million) and the debtor balances due to the IJB from partners' audited accounts (£16.728million). This is well within the materiality threshold. This difference requires to be reviewed through the ledgers and any corrective action will be taken ahead of the 2023-24 audit and reported to the IJB.

The Board agreed to (a) note that Audit Scotland have completed their audit of the annual accounts for 2022-23 and have issued an unqualified independent report auditor's report; (b) approve the Audited Annual Accounts to be signed for issue.

9. Risk Appetite Statement

Submitted report by Paul Doak, Head of Service (HSCP Finance and Transformation) on the Risk Appetite Statement, with the Statement set out at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to: -

- cultural changes required to have a more flexible innovative workforce and attract a younger workforce; and
- retaining the workforce with policies such as retire and return, partial retirement, VER in place.

The Board agreed to approve the Risk Appetite Statement set out at Appendix 1 to the report.

10. Independent Advocacy Strategic Plan 2022-2026

Submitted report by Julie Barrett (NHS Ayrshire and Arran) on the Advocacy Strategic Plan, with the Plan set out at Appendix 1 to the report.

The Board agreed to approve the Advocacy Strategic Plan set out at Appendix 1 to the report.

The meeting ended at 12.35 p.m.

Cabinet
5 December 2023

IRVINE, 5 December 2023 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Marie Burns, Tony Gurney, Christina Larsen and Shaun Macaulay; and Elizabeth Turbet and Rev. Mark Goodman (Church Representatives); and Jacqui McKenzie (Teaching Representative).

In Attendance

C. Hatton, Chief Executive, M. Boyd, Head of Service and S. Quinn, Senior Manager (Finance) (Chief Executive's Service); A. Sutton, Executive Director and R. Leith, Head of Service (Communities) (Communities & Education); R. McCutcheon, Executive Director, D. Hammond, Head of Service (Sustainability, Transport and Corporate Property), Y. Baulk, Head of Service (Housing & Public Protect), L. Kirk, Interim Head of Service (Economic Development & Regeneration), N. McIlvanney, Interim Head of Service (Growth, Investment & Employability), J. Barrett, Senior Manager (Homeless & Community Safety) and M. Ritchie, Senior Manager (Hunterston, Great Harbour and Tourism) (Place); C. Cameron, Director (Health and Social Care Partnership); and R. Lynch, Senior Manager (Legal Services), M. McColm, Senior Manager (Communications) and S. Wilson, Committee Services Officer (Democratic Services).

Apologies

Alan Hill and Margaret Johnson.

Chair

Marie Burns in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting of the Cabinet held on 7 November 2023 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Early Learning and Childcare - Re-design of Service

Submitted a report by the Executive Director (Communities and Education) seeking approval to engage with parents and carers on the proposed redesign of Early Learning and Childcare (ELC) in North Ayrshire to match capacity to demand in the context of a reducing pupil roll and a corresponding revised funding allocation.

The Cabinet, noting the importance of partnership working with parents and carers, agreed to approve further engagement with the purpose of informing a future report to Cabinet early in 2024 on ELC provision in North Ayrshire.

4. North Ayrshire Council Strategic Community Learning and Development Plan 2021-24 Progress Report

Submitted a report by the Executive Director (Communities and Education) providing an update on the North Ayrshire Council Strategic Community Learning and Development Plan 2021-2024 through the six-monthly update report. The North Ayrshire CLD Strategic Plan 2021-2024 Year 2 update and the North Ayrshire Council's Strategic Community Learning & Development Plan were attached at Appendices 1 and 2, respectively, to the report.

The Cabinet, having reviewed the North Ayrshire CLD Strategic Plan 2021-2024 Progress Report, agreed to grant authority to Officers to take forward the actions within the plan.

5. HMIE Progress Review of Community Learning and Development

Submitted a report by the Executive Director (Communities and Education) advising Cabinet of the outcomes of the recent Progress Review of Community Learning and Development by HMIE. The Community Learning and Development Progress Visit Report was attached at Appendix 1 to the report.

The Cabinet agreed to (a) note the Progress Review carried out by HMIE against the CLD Strategic Plan and the positive feedback received, to be presented at a future Audit and Scrutiny Committee; and (b) approve the actions planned as a result of the outcome of the review.

6. Procurement Activity Report 2022-23

Submitted a report by the Head of Service (Finance) providing an update on Procurement activity for the period 2022/23. The top 20 suppliers were listed by aggregate spend at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to:

- large construction contracts procured in North Ayrshire and how many of the subcontractors were local businesses; and
- the increase in local spend and the steps taken to reach the 30% target set out in the Council Plan.

Noted.

7. Review of the Management of Temporary Furnished Accommodation

Submitted a report by the Executive Director (Place) advising on the outcome of the review of the North Ayrshire Temporary Accommodation policy and seeking approval for the establishment of a Temporary Accommodation Fund to support students and people in employment who have no entitlement to Housing Benefit. The Review of

Temporary Accommodation and Management was attached at Appendix 1 to the report.

A Member asked a question and was provided with further information in relation to the procedure the Council used to confirm that any person who presented as homeless had been a resident within North Ayrshire for 6 out of 12 months or 3 out of 5 years.

The Cabinet, having considered the outcome of the Temporary Accommodation Review, agreed to approve the creation of a Temporary Accommodation Grant Fund from 1 April 2024 to support students and people in employment who had no entitlement to Housing Benefit.

8. Sustainable North Ayrshire Strategy

Submitted a report by the Executive Director (Place) seeking approval of the proposed Sustainable North Ayrshire Strategy 2024-27 attached at Appendix 1 to the report.

A Member asked a question and was provided with further information in relation to supplier events in early December 2023 and the proposed next steps.

The Cabinet agreed to approve the Sustainable North Ayrshire Strategy 2024-27 as detailed at Appendix 1 to the report.

9. Community Transport Pathfinder

Submitted a report by the Executive Director (Place) providing Cabinet with an update on the Community Transport Pathfinder work and proposed next steps. An initial Review of Community Transport Models was attached at Appendix 1 to the report.

A Member asked a question and was provided with further information in relation to the investment made in the Community Transport Pathfinder project and how this was utilised.

The Cabinet agreed to approve the next steps detailed at section 2.15 of the report.

10. Consultation Response on Scotland's Strategic Framework for Biodiversity

Submitted a report by the Executive Director (Place) seeking approval of the proposed consultation response to Scotland's Strategic Framework for Biodiversity attached at Appendix 1 to the report.

A Members asked a question and was provided with further information in relation to the role of other stakeholders and partners.

The Cabinet agreed to approve the draft consultation response at Appendix 1 to the report for submission to the Scottish Government.

11. Great Harbour Masterplan

Submitted a report by the Executive Director (Place) seeking approval for the Great Harbour Masterplan for Irvine Harbourside, attached at Appendix 1 to the report, to be referred to the Planning Committee for consideration as a material planning consideration, related to the adopted Local Development Plan and setting out the wider development aspirations for the area.

The Cabinet agreed to refer the Great Harbour Masterplan to the Planning Committee for consideration as a material planning consideration related to the adopted Local Development Plan.

12. Irvine Town Centre: Long-Term Plan for Towns Levelling Up Fund Award

Submitted a report by the Executive Director (Place) updating on the award of funding for Irvine under the Levelling Up Fund and seeking approval for the interim governance structure and early commencement of work to develop a Long-Term Plan for the investment.

A Member asked a question and was provided further information in relation to the timescale to develop the long-term plan and the level of detail required at the Summer 2024 deadline.

The Cabinet agreed to (a) approve (i) the acceptance of the award of £20m for Irvine under the Levelling Up Fund, (ii) the interim governance structure referred to in the report and (iii) early commencement of work to develop a Long-Term Plan for the investment; and (b) to receive a further report on progress and the updated approach, informed by the forthcoming detailed guidance.

13. Urgent Items

There were no urgent items.

The meeting ended at 3.35 p.m.

Licensing Committee
6 December 2023

IRVINE, 6 December 2023 - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

Eleanor Collier, Nairn McDonald, John Bell, Cameron Inglis, Christina Larsen, Jean McClung, Donald L. Reid and Ronnie Stalker.

In Attendance

R. Lynch, Senior Manager (Legal Services), D. Robertson, Enforcement Officer, C. Pollock, Licensing Administration Officer and C. Stewart, Committee Services Officer (Democratic Services) (Chief Executive's Service).

Also in Attendance

Sergeant S. Syme (Police Scotland).

Chair

Councillor Collier in the Chair.

Apologies

Angela Stephen.

1. Chair's Opening Remarks

The Chair welcomed those present and intimated her intention to vary the Order of Business to take the report in relation to Agenda Item 4 (Public Charitable Collections) before Agenda Item 3 (Civic Government Scotland Act 1982 and other Licensing Statutes: Licensing Matters).

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The accuracy of the Minutes of the Meeting of the Licensing Committee held on 8 November 2023 were confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Public Charitable Collections

Submitted report by the Head of Democratic Services informing of the legislation and current Council policy in relation to Public Charitable Collections.

The Committee agreed to endorse the suggested changes set out in the report, subject to there being no "House-to-House Collections" permitted on a Sunday.

Councillor Bell joined the meeting during consideration of this item.

4. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Item 3 (*subsequently re-numbered as Agenda Item 5 for the purposes of the Minute*) (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

The 'Exempt Information' concerned is information of the type described in one or more of Paragraphs 3, 6, 14 and 15 of Part 1 of Schedule 7A to the Act:

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
6. "Information relating to the financial or business affairs of any particular person (other than the authority)."
14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

5. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters

Submitted report by the Head of Democratic Services on hearings to be determined and applications for the grant or renewal of licences, consents and permits, on hearings and on other matters, under the Civic Government (Scotland) Act 1982 and other Licensing legislation.

5.1 Taxi Driver's Licence: TDL/02399 (New): Alan MacDonald

The applicant, having been duly cited to attend, was present. A representative from Police Scotland was in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The applicant then addressed the Committee on the issues raised and responded to questions.

Decision

Councillor Larsen, seconded by Councillor McDonald, moved that the licence be granted. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

5.2 Private Hire Car Licence: PHCL/382 (Substitute): Steven Mason

The licence-holder, having been duly cited to attend, was present.

The licence-holder addressed the Committee on the issues raised and responded to questions.

Decision

Councillor McDonald, seconded by Councillor Bell, moved that the application be treated as an exception to the Council's Vehicle Specification Policy which required the use of a Wheelchair Accessible Vehicle. There being no amendment, the motion was declared carried.

Accordingly, the Committee unanimously agreed to (a) treat the application as an exception to the Council's Vehicle Specification Policy for the purposes of Section 10(2) of the Civic Government (Scotland) Act 1982; (b) treat the case as an exception to the part of the Policy requiring the use of a Wheelchair Accessible Vehicle; and (c) delegate authority to the Solicitor (Licensing) to grant the application.

5.3 Taxi Driver's Licence: TDL/00630: Thomas Anderson

The licence-holder, having been duly cited to attend, was present.

The Enforcement Officer addressed the Committee on the circumstances surrounding a failure on the part of the licence-holder to adhere to the North Ayrshire Council's Taxi Licensing Dress Code.

The licence-holder addressed the Committee on the issues raised and responded to questions.

Decision

Councillor McDonald, seconded by Councillor Inglis, moved that the Committee take no further action in relation to the matter. As an amendment, Councillor Larsen, seconded by Councillor Donald L. Reid, moved that the Committee direct the Clerk to issue a warning letter to the licence-holder.

On a division and a roll call vote, there voted for the amendment Councillors Collier, Bell, Larsen, McClung and Donald L. Reid (5) and for the motion, Councillors McDonald, Inglis and Stalker (3), and the amendment was declared carried.

Accordingly, the Committee agreed to direct the Clerk to issue a warning letter to the licence-holder.

5.4 Taxi Driver's Licence: TDL/01962: Stephen Reid

The licence-holder, having been duly cited to attend, was not present.

The Committee was advised that new information had come to light regarding this matter and, in the circumstances, agreed that a continuation would be the best way to proceed.

Decision

The Committee unanimously agreed to continue consideration of this matter to its meeting scheduled to take place on 10 January 2024.

5.5 Taxi Driver's Licence: TDL/00533: Martin Morrison

The licence-holder, having been duly cited to attend, was present.

The Enforcement Officer addressed the Committee on the circumstances surrounding (a) discrimination on the part of the licence-holder by refusing to undertake a taxi hire involving a guide dog and (b) failure to adhere to North Ayrshire Council's Taxi Licensing Smoking Policy.

The licence-holder addressed the Committee on the issues raised and responded to questions.

Decision

Councillor McDonald, seconded by Councillor McClung, moved that the Committee take no further action in relation to this matter. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to take no further action in relation to this matter.

5.6 Taxi Driver's Licence: TDL/00256: Daniel Tudhope

The licence-holder, having been duly cited to attend, was not present.

The Enforcement Officer addressed the Committee on the circumstances surrounding failure to adhere to North Ayrshire Council's Taxi Licensing Smoking Policy.

The Committee agreed that they had sufficient information available to allow them to make a decision in respect of this matter.

Decision

Councillor McClung, seconded by Councillor McDonald, moved that the Committee direct the Clerk to issue a warning letter to the licence-holder. As an amendment, Councillor Larsen, seconded by Councillor Stalker, moved that the Committee agree to continue this matter to its meeting scheduled to take place on 10 January 2024 and proceed to a hearing in terms of Paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982, in order that the licence-holder could be given a further opportunity to attend.

On a division and a roll call vote, there voted for the amendment Councillors Larsen and- Stalker (2) and for the motion, Councillors Collier, McDonald, Bell, Inglis, McClung and Donald L. Reid (6), and the motion was declared carried.

Accordingly, the Committee agreed to direct the Clerk to issue a warning letter to the licence-holder.

5.7 Taxi Driver's Licence: TDL/02247: Desmond Quigley

The licence-holder having been duly cited to attend, was present.

The Enforcement Officer addressed the Committee on the circumstances surrounding a failure on the part of the licence-holder to adhere to the North Ayrshire Council's Taxi Licensing Dress Code.

The licence-holder addressed the Committee on the issues raised and responded to questions.

Decision

Councillor Larsen, seconded by Councillor McDonald, moved that the Committee direct the Clerk to issue a warning letter to the licence-holder. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to direct the Clerk to issue a warning letter to the licence-holder.

The meeting ended at 11.05 a.m.

Licensing Committee

10 January 2024

IRVINE, 10 January 2024 - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

John Bell, Cameron Inglis, Christina Larsen, Jean McClung, Matthew McLean and Ronnie Stalker.

In Attendance

R. Lynch, Senior Manager (Legal Services), D. Robertson, Enforcement Officer, A. Toal, Administration Assistant (Licensing) and C. Stewart, Committee Services Officer (Democratic Services) (Chief Executive's Service).

Also in Attendance

Sergeant S. Syme (Police Scotland).

Chair

Councillor Larsen in the Chair.

Apologies

Eleanor Collier, Nairn McDonald, Donald L. Reid and Angela Stephen.

1. Appointment of Chair

In the absence of the Chair and Vice-Chair, the Committee unanimously agreed to appoint Councillor Larsen to chair this meeting of the Committee.

2. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

3. Minutes

The accuracy of the Minutes of the Meeting of the Licensing Committee held on 6 December 2023 were confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Item 3 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

The 'Exempt Information' concerned is information of the type described in one or more of Paragraphs 3, 6, 14 and 15 of Part 1 of Schedule 7A to the Act:

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
6. "Information relating to the financial or business affairs of any particular person (other than the authority)."
14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

5. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters

Submitted report by the Head of Democratic Services on hearings to be determined and applications for the grant or renewal of licences, consents and permits, on hearings and on other matters, under the Civic Government (Scotland) Act 1982 and other Licensing legislation.

5.1 Taxi Driver's Licence: TDL/02414 (New): Adrian Frew

The applicant, having been duly cited to attend, was not present. A representative from Police Scotland was in attendance.

Details of a written statement, supplied by the applicant, had been sent to Members of the Committee for their information.

Decision

The Committee unanimously agreed to continue consideration of this matter to an appropriate future meeting.

5.2 Taxi Driver's Licence: TDL/02415 (New): Mark Monaghan

The applicant, having been duly cited to attend, was not present. A representative from Police Scotland was in attendance.

Decision

The Committee unanimously agreed to continue consideration of this matter to its meeting scheduled to take place on 7 February 2024.

5.3 Taxi Driver's Licence: TDL/02420 (New): Daniel McNab

The applicant, having been duly cited to attend, was present. A representative from Police Scotland was in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The applicant then addressed the Committee on the issues raised and responded to questions.

The applicant and representative from Police Scotland then withdrew to allow the Committee to deliberate. Thereafter the applicant and representative from Police Scotland re-joined the meeting, with the same Members and Officers present and in attendance, to hear the Committee's decision.

Decision

Councillor McClung, seconded by Councillor Inglis, moved that the Committee agree to grant the application for a period of one year, subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application for a period of one year, subject to the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

5.4 Taxi Driver's Licence: TDL/02423 (New): Dale Mitchell

The applicant, having been duly cited to attend, was not present. A representative from Police Scotland was in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their representation.

The Committee agreed that it had sufficient information available to allow it to make a decision in respect of this matter.

Decision

Councillor McClung, seconded by Councillor Bell, moved that the application be refused on the basis that the Applicant was not a fit and proper person to hold the Licence applied for, in terms of Paragraph 5(3)(a)(ii) of Schedule 1 to the Civic Government (Scotland) Act 1982.

There being no amendment, the motion was declared carried.

5.5 Late Hours Catering Licence: LHCL/142 (Amendment): A G Restaurants Ltd.

The licence-holders having been duly cited to attend, were present.

The licence-holders addressed the Committee on the issues raised and responded to questions.

Decision

Councillor Stalker, seconded by Councillor McClung, moved that the Committee agree to (a) treat the application as an exception to the Council's Policy on the operating hours of premises with Late Hours Catering Licences; and (b) grant the

application to seek consent to material change of the Late Hours Catering Licence under Paragraph 9(2) of Schedule 1 to the Civic Government (Scotland) Act 1982, in that the licensed hours Monday to Sunday should be 11 p.m. – 5 a.m. for both the restaurant and drive-thru. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the application to seek consent to material change of the Late Hours Catering Licence under Paragraph 9(2) of Schedule 1 to the Civic Government (Scotland) Act 1982, in that the licensed hours Monday to Sunday should be 11 p.m. – 5 a.m. for both the restaurant and drive-thru.

5.6 Taxi Driver's Licence: TDL/01962: Stephen Reid

The licence-holder, having been duly cited to attend, was present.

The Committee considered reports from the Council's Civic Licensing Standards Officer making several allegations.

The allegations concerned several alleged breaches of Taxi Driver's Licence Conditions concerning the Dress Code, the No-Smoking Policy and Civility, and an alleged failure to agree the method of calculating the taxi fare prior to starting a journey crossing the Council boundary.

After hearing from the Civic Licensing Standards Officer and the Licence-Holder the Committee adjourned to consider the case.

Decision

The Committee decided unanimously that all allegations were established, and therefore considered what action was appropriate.

Councillor Inglis, seconded by Councillor Larsen, moved that the Committee agree to suspend the Licence for the unexpired portion of the duration of the Licence (Paragraphs 11(1) and 11(11)) and to direct that that suspension should have effect immediately as the circumstances of the case justified immediate suspension (Paragraph 11(10)). As an amendment, Councillor Bell, seconded by Councillor Stalker, moved the Committee agree to suspend the Licence for the unexpired portion of the duration of the Licence (Paragraphs 11(1) and 11(11)).

On a division and a roll call vote, there voted for the amendment Councillors Bell and Stalker (2) and for the motion, Councillors Inglis, Larsen, McClung and McLean (4), and the motion was declared carried.

Accordingly, the Licence was suspended with immediate effect under Paragraph 11(1) and 11(10) of Schedule 1 to the Civic Government (Scotland) Act 1982.

The meeting ended at 12.00 noon.

Staffing and Recruitment Committee

10 January 2024

At the Meeting of Staffing and Recruitment of North Ayrshire Council at 4.00pm involving participation by remote electronic means.

Present

Marie Burns, John Bell, Joe Cullinane, Tony Gurney, Alan Hill, Cameron Inglis, Shaun Macaulay and Tom Marshall.

In Attendance

C. Hatton, Chief Executive and F. Walker, Head of Service (People and ICT).

Chair

Marie Burns in the Chair.

1. Declarations of Interest

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

2. Minutes

The accuracy of the Minutes of the meeting of the Staffing and Recruitment Committee held on 20 November 2023 was confirmed and the Minute and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public and Press

The Committee resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 1 of Part 1 of Schedule 7A of the Act.

4. Recruitment: Executive Director posts

The Committee considered applications for the position of Executive Director (Communities & Housing) and agreed that 4 candidates would progress to the next stage of the recruitment process.

The Committee then considered applications for the position of Executive Director (Education) and agreed not progress to the next stage of the recruitment process for the post.

The Meeting ended at 4.30pm.

Cabinet
23 January 2024

IRVINE, 23 January 2024 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Marie Burns, Tony Gurney, Christina Larsen and Shaun Macaulay.

Also Present

Cameron Inglis and Chloe Robertson.

In Attendance

C. Hatton, Chief Executive, M. Boyd, Head of Service and D. Forbes, Senior Manager (Finance) (Chief Executive's Service); A. Sutton, Executive Director, R. Leith, Head of Service and C. Hope, Senior Manager (Communities) (Communities & Education); R. McCutcheon, Executive Director, D. Hammond, Head of Service (Sustainability, Transport and Corporate Property), L. Kirk, Interim Head of Service (Economic Development & Regeneration) and N. McIlvanney, Interim Head of Service (Growth, Investment & Employability) (Place); A. Craig, Head of Service, J. Hutcheson, Senior Communications Officer (Communications) and S. Wilson, Committee Services Officer (Democratic Services).

Apologies

Margaret Johnson and Alan Hill.

Chair

Marie Burns in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting of the Cabinet held on 5 December 2023 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Council Plan Mid-Year Progress Report

Submitted a report by the Head of Service (Democratic Services) to consider and approve the Council Plan Mid-Year Progress Report 2023-24 attached at Appendix 1 to the report.

The Cabinet agreed (a) to approve the Council Plan Mid-Year Progress Report 2023-24 attached at Appendix 1; and (b) to refer the Council Plan Mid-Year Report 2023-24 to the Audit and Scrutiny Committee for consideration.

4. Capital Programme and Treasury Management Performance to 30 November 2023

Submitted a report by the Head of Service (Finance) on progress in delivering the Capital Investment Programme 2023/24 and the associated Treasury Management Performance to 30 November 2023.

A Member asked a question and was provided with further information in relation to the review of local authority capital accounting arrangements and the associated risks.

The Cabinet agreed to (a) approve the virement proposals noted within the HRA programme detailed in appendix 2 to the report; and (b) note (i) the revisions to budgets outlined in the report; (ii) the General Services and HRA revised budgets at 30 November 2023; (ii) the forecast expenditure to 31 March 2024; and (iii) the estimated performance against the Prudential Indicators set out in the Treasury Management and Investment Strategy.

5. Revenue Budget 2023/24: Financial Performance to 30 November 2023

Submitted a report by the Head of Service (Finance) advising Cabinet of the financial performance for the Council at 30 November 2023.

Members asked questions and were provided with further information in relation to:

- the overspend for residential placements for children and demand pressures affecting the Health and Social Care Partnership (HSCP) and the action plan being progressed on a partnership basis to address issues;; and
- the results of the Reinforced Autoclaved Aerated Concrete (RAAC) surveys carried out across the authority and the associated costs for remediation works.

The Cabinet agreed to (a) approve the virements detailed in Appendix 7 to the report; and (b) note (i) the information and financial projections outlined in the report; and (ii) the latest financial projection for the Health and Social Care Partnership highlighted at section 2.6 of the report.

6. North Ayrshire Local Heat and Energy Efficiency Strategy

Submitted a report by the Executive Director (Place) seeking approval of the draft North Ayrshire Local Heat and Energy Efficiency Strategy (LHEES) and Delivery Plan attached at Appendices 1 and 2, respectively, to the report.

A Member asked a question and was provided with further information in relation to district heating networks and the role these played in decarbonising domestic heat demand in North Ayrshire.

The Cabinet agreed to approve the draft LHEES and Delivery Plan attached at Appendices 1 and 2, respectively, to the report.

7. North Ayrshire Strategic Tourism Infrastructure Development Plans – Mainland and Islands

Submitted a report by the Executive Director (Place) seeking approval for Strategic Tourism Infrastructure Development Plans for the North Ayrshire Mainland and Islands, to support funding applications for projects which helped manage infrastructure relating to domestic tourism. The draft Strategic Tourism Infrastructure Development Plan – Mainland and draft Strategic Tourism Infrastructure Development Plan – Islands were attached at Appendices 1 and 2, respectively, to the report.

A Member asked a question and was provided with further information in relation to the interventions identified within the report and how these could be translated into delivery through a process of prioritisation and identification of funding sources.

The Cabinet agreed to approve (i) the draft Strategic Tourism Infrastructure Development Plan – Mainland set out at Appendix 1 to the report; and (ii) the draft Strategic Tourism Infrastructure Development Plan – Islands attached at Appendix 2 to the report.

8. UK Shared Prosperity Fund – Communities and Place Fund Update

Submitted a report by the Executive Director (Place) updating on the first round of the Communities and Place Fund under the UK Shared Prosperity Fund and seeking approval for the proposed approach to the second round for 2024/25.

A Member asked a question and was provided with further information in relation to the likely availability of further funding beyond 2024/25.

The Cabinet agreed to (a) note the update on the first round of the Communities and Place Fund in 2023/24 and (b) approve the proposed approach to the second round of the Fund in 2024/25.

9. Levelling Up Fund – Round 3 Provisional Award

Submitted a report by the Executive Director (Place) on the provisional UK Government Levelling Up Fund Round 3 award for the Levelling Up For Ayrshire – Commercial and Low Carbon Infrastructure Project and seeking approval to complete the validation and onboarding process.

A Member asked a question and was provided with further information in relation to the industrial units constructed at three sites in Irvine, North Ayrshire and the letting arrangements.

The Cabinet agreed to (a) approve (i) acceptance of the provisional award for the Levelling Up For Ayrshire – Commercial and Low Carbon Infrastructure under the Levelling Up Fund Round 3 subject to the successful completion of the validation and onboarding process; and (ii) the proposed amendments to the original application proposal; and (b) provide delegated authority to the Executive Director (Place) to conclude the validation and onboarding process and, subject to successful completion, progress project development and delivery; and (c) receive a further update on progress as part of the annual Regeneration Delivery Plan update report.

10. Amendment to the Approved Community Asset Transfer of Ardeer Quarry Football Ground and Adjacent Land

Submitted a report by the Executive Director (Communities and Education) seeking approval for an amendment to the Community Asset Transfer of Ardeer Quarry Football Ground. A map of the site at Ardeer, Garnock Road, Stevenston was attached at Appendix 1 to the report.

The Cabinet agreed to (a) amend the previously approved Asset Transfer of Ardeer Quarry Football Ground and adjacent land from North Ayrshire Council to Scottish Charitable Incorporated Organisation (SCIO), "TASS Community Sports" to include an additional area of adjacent land; and (b) authorise officers to conclude the associated legal and community asset transfer processes for Ardeer Quarry Football Ground and adjacent land, inclusive of the additional piece of land.

11. Proposals for Community Investment Fund (CIF) Expenditure

Submitted a report by the Executive Director (Communities and Education) on applications by Locality Partnerships on the allocation of Community Investment Fund (CIF) funding to proposed projects. Applications from Beith Community Association SCIO, Garnock Valley Locality Partnership Working Group, Bourtreehill and Broomlands Community Association, Fullarton Community Association, Turning Point PEAR Project and Stevenston Community Council were attached at Appendices 1 – 6, respectively, to the report.

Having reviewed the applications in line with the CIF criteria, the Cabinet agreed to approve CIF awards to (i) Beith Community Association SCIO (£22,098.04); (ii) Garnock Valley Locality Partnership Working Group (£51,200); (iii) Bourtreehill and Broomlands Community Association (£12,777); (iv) Fullarton Community Association

(£100,000); (v) Turning Point PEAR Project (£96,112); and (vi) Stevenston Community Council (£29,988).

12. Public Conveniences

Submitted a report by the Executive Director (Communities and Education) updating on the current position and future operation in relation to public conveniences in North Ayrshire.

The Chair, on behalf of the Cabinet, acknowledged that a community consultation period was planned and requested that the paper be amended to remove “or close thereafter” from the site recommendations pending the outcome of the consultation process.

The Cabinet agreed to (a) approve the proposals for the future of the remaining Council-operated public conveniences as set out in this report, subject to the above-mentioned amended wording; and (b) receive a further report in April 2024 to consider the results of the engagement in relation to community interest in five public conveniences.

13. Urgent Items

There were no urgent items.

The meeting ended at 3:35 p.m.

Planning Committee 24 January 2024

At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

Robert Foster, Stewart Ferguson, Cameron Inglis and Chloe Robertson.

Present (Remote Participation)

Timothy Billings, Scott Davidson, Amanda Kerr and Ian Murdoch.

In Attendance (Physical Participation)

A. Finlayson, Chief Planning Officer, and A. Gemmell, Strategic Planning Manager (Place); R. Lynch, Senior Manager and L. Ingram, Solicitor (Legal Services), J. Hutcheson, Communications Officer, C. Stewart and D. McCaw, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Chair

Councillor Foster in the Chair.

Apologies

Davina McTiernan and Jim Montgomerie.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting held on 2 November 2023 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. West Kilbride Local Place Plan

Submitted report by the Executive Director (Place) on the preparation and submission of a Local Place Plan (LPP) for West Kilbride, Seamill and Portencross by West Kilbride Community Council. Appendix 1 to the report detailed the Local Place Plan in full, with the proposals for the development and use of land summarised at Appendix 2.

The Planning (Scotland) Act 2019 introduced a new right to produce community-led LPPs setting out proposals for the development and use of land and buildings. The aim of LPPs would be to enhance engagement in development planning by empowering communities to play a more proactive role in defining the future of their places. Planning Authorities must take account of registered LPPs when preparing a Local Development Plan. The report noted that the LPP submitted by West Kilbride Community Council, met the requirements in terms of legislation, regulations, form and content and was considered valid.

Members asked questions and were provided with information in relation to:

- the role of registered LPPs as a material consideration in determination of any future planning applications;
- guidance in relation to engagement to organisations planning a future LPP submission;
- the position in terms of LPPs contributing to the preparation of the next Local Development Plan (LDP3); and
- the process for feedback to local areas with registered LPPs during the LDP3 process.

The Committee agreed to (a) approve the registration of the LPP for West Kilbride, Seamill and Portencross, submitted by West Kilbride Community Council, as detailed in Appendix 1 to the report; and (b) note the requirement to take account of the Plan in the preparation of North Ayrshire's third Local Development Plan (LDP3).

The meeting ended at 2.15 p.m.

Local Review Body 24 January 2024

At a Meeting of the Local Review Body of North Ayrshire Council at 2.25 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

Robert Foster, Stewart Ferguson, Cameron Inglis and Chloe Robertson.

Present (Remote Participation)

Timothy Billings, Scott Davidson and Amanda Kerr.

In Attendance

A. Hume, Senior Development Management Officer (Place); R. Lynch, Senior Manager and L. Ingram, Solicitor (Legal Services), and C. Stewart and D. McCaw, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Chair

Councillor Foster in the Chair.

Apologies

Davina McTiernan, Jim Montgomerie and Ian Murdoch.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting held on 20 September 2023 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

Councillor Billings joined the meeting at this point and prior to presentation of the Notice of Review by the Adviser to the LRB.

3. Notice of Review: 23/00533/PP: Skelmorlie: 9 Eglinton Terrace

Submitted report by the Head of Democratic Services on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers. The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan and Planning Decision Notice, were provided as appendices to the report.

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant and the Report of Handling submitted by the appointed officer. The Planning Adviser advised that no site visit or hearing had been requested by the applicant. The Planning Adviser clarified that within the 6 grounds

of appeal by the applicant, reason 6 for refusal referred to National Planning Policy Framework 7 and not Policy 7 of the LDP.

The Local Review Body unanimously agreed that enough information had been provided to determine the review request.

Members asked a question and were provided with information in relation to the existing Tree Preservation Order in place for the surrounding area.

Councillor Inglis, seconded by Councillor Robertson, moved that the Local Review Body uphold the officer's decision to refuse planning permission on the grounds outlined in the Decision Notice. There being no amendment the motion was declared carried.

Accordingly, the Local Review Body agreed to uphold the officer's decision and refuse planning permission.

The meeting ended at 2.45 p.m.

Audit and Scrutiny Committee
25 January 2024

At a Meeting of the Audit and Scrutiny Committee of North Ayrshire Council at 10.00 a.m. involving participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

Present (Physical Participation)

John Bell, Donald Reid, Eleanor Collier, Cameron Inglis, Matthew McLean and John Sweeney.

Present (Remote Participation)

Tom Marshall and Donald L. Reid.

In Attendance (Physical Participation)

A. Sutton, Executive Director, R. Leith, Head of Service (Connected Communities) and A. McClelland, Head of Service (Education) (Communities and Education); R. McCutcheon, Executive Director, Y. Baulk, Head of Service (Housing & Public Protection) and T. Reaney, Head of Service (Neighbourhood Services) (Place); P. Doak, Head of Service (Finance and Transformation) (Health and Social Care Partnership); M. Boyd, Head of Service and L. Miller, Senior Manager (Audit, Fraud, Safety and Risk) (Finance), B. Quigley, Senior Manager (ICT) (People and ICT), and A. Craig, Head of Service, C. Stewart and S. Wilson, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Chair

Councillor Bell in the Chair.

Apologies

Davina McTiernan.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting of the Audit and Scrutiny Committee held on 14 November 2023 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Chair's remarks

The Chair, in terms of Standing Order 10.5, agreed to vary the order of business to allow consideration of item 5 (HMIE Progress Review of Community Learning and Development) before item 3 on the Agenda.

4. HMIE Progress Review of Community Learning and Development

Submitted report by the Executive Director (Communities & Education) informing of the outcomes of the recent Progress Review of Community Learning and Development (CLD) by HMIE. The Community Learning and Development Progress Visit Report North Ayrshire Council was attached at Appendix 1 to the report.

The dedication and commitment of the Community Learning and Development team, in respect of the work that they were doing for local communities in North Ayrshire, was acknowledged by the Committee.

The Committee agreed to (a) note the recent Progress Review carried out by HMIE against the CLD Strategic Plan and the positive feedback from this; (b) approve the actions planned as a result of the outcome of the review; and (c) note that the progress review had been presented to the Cabinet at its meeting in December 2023.

5. Annual Report – School and Early Learning and Childcare Inspections 2022-23

Submitted report by the Executive Director (Communities & Education) informing of the performance of North Ayrshire schools and early learning and childcare settings in external inspections, with a focus on those published during session 2022-23. The Education Scotland inspection reports which highlighted a number of key strengths common to several of the establishments they visited in North Ayrshire in 2022-23 were attached at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to:-

- the methodology and criteria behind what type of inspection might be carried out by Education Scotland, particularly when it concerned a full inspection;
- the improvement actions that would be put in place by the Service to address any areas of concern, following due consideration of the inspection reports;
- support provided to partner nurseries;
- the inspection frequency for Treetops Nursery; and
- the good working relationship between the Service and Education Scotland and the Care Inspectorate, in terms of addressing any areas of anxiety and/or concern amongst Head Teachers and staff, during inspection of schools and Early Learning and Childcare settings.

The Committee agreed to (a) note the contents of the report; and (b) commend the performance of schools and Early Learning and Childcare settings in inspections conducted by Education Scotland and the Care Inspectorate.

6. Education Authority Annual Plan 2023-24

Submitted report by the Executive Director (Communities & Education) informing of the content and requirement for publication of the Education Authority Annual Plan for 2023-24.

The draft Education Authority annual plan for 2023-24 was attached at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to:-

- the use of some of the language contained in the report and whether this represented a material change in terms of the previous reporting style;
- measures to improve attendance, which was one of the 5 priorities in the NAC Education Service Improvement Plan 2023-26; and
- whether any analysis or evaluation had been undertaken on changing the school week to make it shorter, which had been undertaken by a number of other Education Authorities, but which was not proposed to be taken in North Ayrshire.

The Committee agreed to note the content of the Education Authority Annual Plan for 2023-24 and its publication as required by the Education (Scotland) Act 2016.

7. North Ayrshire Council's Performance Strategy 2023-28

Submitted report by the Head of Service (Democratic) advising of the Council's Performance Strategy 2023-28, including a new approach to self-assessment. 'Our Performance Management Strategy 2023-28', which combined learning from the previous strategy with the Best Value Thematic Approach and initial draft results of the audit, was attached at Appendix 1 to the report.

A member asked a question and was provided with further information in relation to the differences between the new strategy and the previous strategy.

The Committee agreed to note (i) 'Our Performance Management Strategy 2023-28' and (ii) that it formed the basis of performance management within North Ayrshire Council.

8. Year End Performance Reporting: Council Plan Year End Progress Report 2022-23; and Local Government Benchmarking Framework Analysis of 2023 Data Release

Submitted report by the Head of Service (Democratic) advising on progress of the Council Plan priorities. The Council Plan Year End Progress Report and supporting performance measures were attached at Appendices 1, 2 and 3, respectively, to the report. Appendix 4 detailed the Council Plan Annual Performance Report with Appendix Five, providing the status of the Council's performance indicators within the LGBF Analysis of 2023 Data Release.

Members asked questions and were provided with further information in relation to:-

- the new hybrid way of working of the Council and whether there had been any adverse or improved performance trends amongst staff arising from this changed model of working; and
- actions that were significantly adrift of target and the reasons for underperformance within each action including efforts being made to rectify it.

The Committee agreed to note (i) the Council Plan Year End Progress Report and supporting performance measures as set out at Appendix One, Two and Three to the report; (ii) the Council Plan Annual Performance Report as set out in Appendix Four to the report; (iii) the status of the Council's performance indicators within the LGBF Analysis of 2023 Data Release at Appendix Five to the report; and (iv) that officers would review the timescales involved in terms of performance reporting, with a view to seeing whether they could be reduced in any way.

9. North Ayrshire Council Plan 2023-28: Performance Management Framework

Submitted report by the Head of Service (Democratic) on the Council Plan 2023-28 Performance Management Framework, attached at Appendix 1 to the report.

Noted.

10. Internal Audit Reports Issued

Submitted report by the Head of Service (Finance) on the findings of Internal Audit work completed between November and December 2023. The findings from two audit assignments were detailed at Appendix 1 to the report, together with the respective executive summaries and action plans.

In response to a question by a Member concerning assurance of a contract already let and constructed, and the management of such, it was agreed, having heard the Chair, that a report on the subject matter, in general, would be submitted to a future meeting of the Committee for Members' consideration.

Noted.

11. Exclusion of the Public – Para 1

The Committee resolved in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following item of business on the grounds indicated in terms of Paragraph 1 of Part 1 of Schedule 7A of the Act.

12. Investigation Reports Issued (Exempt Item)

Submitted report by the Head of Service (Finance) informing of investigation reports finalised since the last meeting of the Committee.

Noted.

The meeting ended at 11.40 a.m.