



North Ayrshire Council

Comhairle Siorrachd Àir a Tuath

COMMITTEE MINUTES

10 March 2016	Integrated Joint Board	1 - 11
23 March 2016	Planning Committee	12 - 15
24 March 2016	North Coast Area Committee	16 - 22
29 March 2016	Cabinet	23 - 28
1 April 2016	Ayrshire Shared Services Joint Committee	29 - 32
12 April 2016	Licensing Committee	33 - 34
20 April 2016	Licensing Committee	35 - 39
26 April 2016	Cabinet	40 - 44
27 April 2016	Planning Committee	45 - 53
27 April 2016	Local Review Body	54 - 56
28 April 2016	Education Appeal Committee	57 - 59
29 April 2016	Appeals Committee	60 - 61
10 May 2016	Cabinet	62 - 65
13 May 2016	Appeals Committee	66 - 67
16 May 2016	Police and Fire and Rescue Committee	68 - 72
18 May 2016	Staffing and Recruitment Committee	73 - 74
18 May 2016	Scrutiny and Petitions Committee	75 - 77
19 May 2016	Integrated Joint Board	78 - 86
20 May 2016	Appeals Committee	87 - 89
23 May 2016	Education Appeal Committee	90 - 91
23 May 2016	Audit Committee	92 - 98
24 May 2016	Cabinet	99 - 103
25 May 2016	Licensing Committee	104 - 110
1 June 2016	Planning Committee	111 - 118
1 June 2016	Local Review Body	119 - 120
2 June 2016	Education Appeal Committee	121 - 122
3 June 2016	Appeals Committee	123 - 124

**North Ayrshire Health and Social Care Partnership
Minute of Integration Joint Board meeting held on
Thursday 10 March 2016
at 10.00 a.m., Council Chambers, Cunninghame House, Irvine**

Present

Councillor Anthea Dickson, (Chair)
Stephen McKenzie, NHS Ayrshire & Arran (Vice Chair)
Bob Martin, NHS Ayrshire & Arran
Janet McKay, NHS Ayrshire & Arran
Councillor Peter McNamara, North Ayrshire Council
Councillor Ruth Maguire, North Ayrshire Council

Iona Colvin, Director North Ayrshire Health and Social Care (NAHSCP)
Lesley Aird, Chief Finance Officer
Stephen Brown, Chief Social Work Officer – North Ayrshire
Derek Barron, Lead Nurse/Mental Health Advisor
Dr. Mark MacGregor, Acute Services Representative
Louise
Dr. Paul Kerr, Clinical Director
Dr. Kes Khaliq, GP Representative
Nigel Wanless, Independent Sector Representative
David Donaghy, Staff Representative – NHS Ayrshire and Arran
Louise McDaid, Staff Representative – North Ayrshire Council
Fiona Thomson, Service User Representative
Jim Nichols, Third Sector Representative
Martin Hunter, Service User Representative
Marie McWaters, Carers Representative
Sally Powell, Carers Representative

In Attendance

Thelma Bowers, Head of Mental Health
Jo Gibson, Principal Manager (Planning & Performance)
David Rowland, Head of Health & Community Care
Paul Doak, Integration Joint Board Chief Internal Auditor
Mark Inglis, Senior Manager (Intervention Services)
Mae Henderson, Senior Manager (Looked After and Accommodated Children)
Marjorie Adams, Programme Manager (Early Intervention and Prevention)
Karen Andrews, Business Support Officer
Angela Little, Committee Services Officer

Apologies for Absence

Dr. Carol Davidson, NHS Ayrshire & Arran
Councillor Robert Steel, North Ayrshire Council

1. Chair's Remarks

The Chair agreed to vary the order of business to consider Agenda Item 10 (Integrated Care Fund) as the last item of business. The press and public would be excluded from the Meeting for this item of business in terms of Section 50(A)4 of the Local Government (Scotland) Act 1973, Paragraph 4 of Part 1 of Schedule 7A of the Act.

2. Apologies

Apologies were noted.

3. Declarations of Interest

In terms of Standing Order 7 and Section 5 of the Code of Conduct for Members of Devolved Public Bodies, Dr. Janet McKay and Nigel Wanless declared an interest in Agenda Item 10 (Integrated Care Fund), which would be considered as the last item of business.

4. Minutes/Action Note – 10 December 2015

The accuracy of the Minutes of the meeting held on 11 February 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4.1 Matters Arising

18.1 Integrated Care Fund – clarification that will be provided to IJB Members in respect of Members' interests in relation to the Integrated Care Fund.

Guidance from the Standards Commission had been circulated to all Members of the IJB Noted.

5. Kinship Care Payments

Submitted report by Stephen Brown, Head of Services, Families and Criminal Justice on the re-alignment of Kinship Care Payments, following the decision of the Scottish Government that kinship carers should receive an allowance that is comparable to that paid to foster carers and that there should be local parity, presented by Mark Inglis, Senior Manager (Intervention Services).

The report provided information on the number of children and young people across North Ayrshire living within a kinship care placement, existing national fostering network rates relating to a child's age, the proposed kinship allowance of £200 per week/per child, additional funding of £0.180m from the Scottish Government to support the new requirements and the estimated substantial costs to the partnership in 2015/16 and 2016/17.

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

- Additional funds that have been provided by the Scottish Government for Kinship Care payments;
- An estimated additional cost to the IJB of £0.571m in 2015/16 and £1.061m in 2016/17 for kinship care payments; and
- Greater numbers of kinship carers in the North Ayrshire, East Ayrshire and Glasgow areas.

The Board approved the new Kinship Care Allowance Scheme as detailed in the report. S. Brown

6. Budget Deficit Recovery Plan 2015/16

Submitted report by Lesley Aird, Chief Finance Officer, on the actions being taken to address the current financial pressures within the North Ayrshire Health and Social Care Partnership budget and the underlying budget pressure issues.

Appendix 1 to the report outlined the baseline budget pressures. A breakdown of each budget with a significant projected budget variance and, where appropriate, the remedial action required was detailed at Section 3 of the report. Significant budget pressures were outlined at section 3.3.2 of the report and included Learning Disabilities, Physical Disabilities, Mental Health Community Teams, Children and Families, Children with Disabilities.

The projected overspend for 2015/16 at month ten was £1.369m. Action has been taken to reduce the level of overspend in-year. Due to in-year emerging cost pressures around Kinship Care and further demand for services and the underlying base budget pressures this action will not be sufficient to fully recover the overspend this financial year.

Whilst the Council budget was set in February 2016, NHS Ayrshire and Arran's budget will not be formally set until 23 May 2016. An interim working budget will therefore require to be set, based on assumed funding from NHS Ayrshire and Arran.

Members asked questions and were provided with further information in relation to representations that have been made to the Scottish Government in respect of the funding shortfall for Kinship Care Payments.

The Board agreed to (a) approve the recovery plan for 2015/16; and (b) note the implications for the 2016/17 budget. Section 95 Officer

7. Financial Management Report as at 31 January 2016

Submitted report by Lesley Aird, Chief Finance Officer, on the current financial position of the North Ayrshire Health and Social Care Partnership, as well as the projected outturn for 2015/16 as at period 10 to 31 January 2016.

The projected overspend for 2015/16 is £1.369m. The main areas of overspend are Children's Services, Learning Disabilities, Prescribing, Lead Mental Health services and Learning Disabilities, partially offset by anticipated underspends on Older People's Services, Direct Overheads and Support Services.

Appendix 1 to the report provided information on the approved budgets and projected outturns across the Partnership. Appendix 1a detailed the main variances across all Partnership services, with Appendices 2 and 3 detailing the main variances across budgeted services delivered by North Ayrshire Council and the Health Board respectively. Appendix 4 to the report provided a summary of current projected spend on each fund.

The Board agreed to (a) note the content of the report; and (b) approve the actions being taken, as outlined in paragraph 2.4 of the report, to bring the budget back into line. Section 95 Officer

8. Reserves Strategy

Submitted report by Lesley Aird, Chief Finance Officer on the Reserves Strategy for the North Ayrshire Integration Joint Board.

The proposed Reserves Strategy was attached as Appendix 1 to the report and outlined the process for creating and using IJB reserves. In line with recommended practice, the strategy recommends that the IJB reserves are between 2 and 4 % of revenue expenditure, which would equate to between £4m and £8m.

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

- Planned underspends that can be retained by the IJB to either fund additional capacity in-year in line with its Strategic Plan or be carried forward to fund capacity in subsequent years of the Strategic Plan; and
- Windfall underspend that will be returned to parties in the same proportion as individual parties contribute to joint pressures.

The Board agreed to approve the Reserves Strategy.

Section 95 Officer

9. Budget 2016/17

Submitted report by Lesley Aird, Chief Finance Officer on the indicative 2016/17 North Ayrshire Health and Social Care Partnership budget position. The IJB budget for 2016/17 will be formally set once the Health Board has confirmed their budget for the year and their contributions to the Partnership.

The budget setting timetable was outlined in Paper 1 of Appendix A to the report. Paper 2 provided a summary of the indicative core Partnership funding streams and budget for 2016/17. A summary of the Council approved budget and funding for Council services for 2016/17, based on the assumed pressures and savings outlined in 2.2 of the report and including temporary funding allocations for each year were detailed in Paper 3. Paper 4 identified indicative budget pressures. Details of £3.316m of savings were provided in Paper 5. Paper 6 contained a summary of the indicative budget and funding for Health services for 2016/17 based on the assumed pressures and savings detailed at 3.2 and 3.3 of the report. Indicative budget pressures for Health services were detailed in Paper 7. Paper 8 identified a number of areas for review, in respect of Cash Releasing Efficiency Savings of £2.768m for 2016/17.

Appendix B to the report outlined the Equality Impact Assessments carried out for all developed pressures and savings proposals.

A detailed breakdown of committed Integrated Care Fund (ICF) funding for 2016/17 was provided at Appendix C to the report.

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

- A proposed saving of £500,000 as a result of the reduced demand in beds in the care of elderly/elderly mental health and purchased nursing care beds;
- The delivery of savings in the areas of increased income generation and streamlining management that has already been achieved;
- Discussions that will take place with relevant parties in respect of the areas identified for further work in terms of savings development, management of efficiencies by the non-filling of posts and a report that will be presented to the June meeting on savings; and
- Services that received temporary funding that has now come to an end and a report to a future meeting on discussions with the Hearing Loss Group.

Louise McDaid and Nigel Wanless asked that their dissent to the proposals outlined in Paper 8, in respect of Cash Releasing Efficiency Savings be noted.

The Board agreed to (a) approve the proposed pressures for Council services for 2016/17; (b) approve the proposed 2016/17 savings against Council services; (c) note the indicative 2016/17 Health services budget pressures and savings proposals; (d) note the proposed timeline for formal approval of the 2016/17 budget; (e) note the previously agreed Integrated Care Fund project funding for 2016/17; and (f) note the dissent of Louise McDaid and Nigel Wanless to the proposals outlined in Paper 8 of Appendix 1 to the report.

Section 95 Officer

10. Corporate Parenting

Submitted report by Mark Inglis, Senior Manager (Children and Families) on the work progressing as part of the Corporate Parenting responsibilities of the Health and Social Care Partnership for Looked After Children.

The introduction of the Scottish Care Leavers Covenant (2015) supports Scotland's corporate parents in fulfilling their duties to improve the life chances of all of Scotland's care leavers. Section 3 of the report outlined areas of improvement in supporting young care leavers towards entering education, employment and training and work that will be done to update the Corporate Parenting Strategy 2014/17 in light of the Children and Young Person Act 2014.

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

- Work that has commenced on reviewing the Corporate Parenting Strategy 2014/17;
- An estimated completion of the new strategy by summer 2016; and
- Inclusion within the strategy of how the impact of the strategy is measured.

The Board agreed to (a) approve the approach to Corporate Parenting under the new Act; and (b) to adopt the Scottish Care Leavers Covenant (2015). M. Inglis

11. Director's Report

Submitted report by Iona Colvin, Director, on developments within the North Ayrshire Health and Social Care Partnership.

The report highlighted work that has been underway in the following areas:-

- Strategic Planning and Operational Group (SPOG)
- National Developments;
- National Clinical Strategy for Scotland;
- Ayrshire developments:- Woodland View; new models of care for older people and people with complex needs (Appendix 1) and transforming care after treatment employability project (Appendix 2);
- North Ayrshire developments:- the Untitled: Bad Entertainment Exhibition, Foster Care Awards and GP/Primary Care event.

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

- Consultation that will take place with the third and voluntary sector in respect of the transport review; and
- The draft framework for Clinical Care and Governance arrangements across the three partnerships and NHS that will be circulated through Partnership Management Teams, NHS, CMT and Staff Partnership Fora and submitted to IJBs, NHS Integrated Governance Committee and Council Audit Committees in May 2016.

Noted.

I. Colvin

12. Audit Scotland Report – Health and Social Care Integration

Submitted report by Paul Doak, IJB Chief Internal Auditor on the recent national report by Audit Scotland on the integration of Health and Social Care services.

Appendix 1 to the report provided information on Audit Scotland's recommendations for Integration authorities, North Ayrshire IJB's current position and planned actions. The Audit Scotland report was attached as Appendix 2 to the report and highlighted current issues such as:-

- governance arrangements
- scrutiny arrangements;
- the role of IJB Members and the management of conflicts of interest
- sound financial procedures;
- financial constraints and differing financial planning cycles between Councils and NHS boards;
- strategic planning and supporting strategies and
- performance management systems;

The report also provided information on a number of areas that are currently subject of review by Internal Audit, namely, governance framework and organisational development arrangements.

The Board was advised that Audit Scotland will attend the IJB Performance and Audit Committee in June 2016 to present their report on Health and Social Care Integration.

Members asked questions and were provided with further information in relation to work that will be done to agree how resources are reinvested.

Noted.

13. North Ayrshire Children's Services Plan 2016/20

Submitted report by Marjorie Adams, Programme Manager (Early Intervention and Prevention) on the development of the North Ayrshire Children's Services Plan 2016/20: Getting It Right for You.

The Children's Services Plan was based on the four priorities from the Improving Children's Outcomes survey with the Scottish Government and the Dartington Social Research Unit. Consultation took place to obtain view on the plan's "promises" and to ensure that its plans to improve children's services and outcome meet with local needs, expectations and aspirations.

The draft Children's Services Plan was attached at Appendix 1 to the report and contained the Action Plan detailing actions against each promise to indicate what is planned to deliver them.

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

- a variety of methods that will be used to make the plan accessible to young people, including a comic strip booklet, a z-card that folds out with each promise and the action planned underneath and promotion via social media;
- the development of a performance framework to measure implementation which will be reported back to the Community Planning Partnership and the IJB;
- work that will be done with young people to examine appropriate ways to report back to them.

Noted.

M. Adams

14. Nursing and Midwifery Revalidation

Submitted report by Derek Barron, Lead Nurse on the current position in relation to Nursing and Midwifery Revalidation.

The Nursing and Midwifery Council (NMC) has introduced revalidation for all nurses and midwives in the UK. Revalidation is a three yearly process and will replace the current Notification of Practice. An updated Code of Conduct which outlines the underpinning standards that nurses and midwives require to demonstrate has been introduced.

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

- work that has been done to support the roll out of revalidation, including a number of awareness sessions held across Ayrshire; and
- additional time that will be added to registrant's annual appraisal to incorporate revalidation.

Noted.

15. Occupied Bed Days

Submitted report by David Rowland, Head of Health and Community Care on the impact of the whole system approach to winter planning on occupied bed days saved and the development of a projection model to link projected population changes to historical occupied bed days in acute hospitals, presented by Jo Gibson, Principal Manager (Planning and Performance).

The report provided information on the initial finding of the projection model in respect of the population change, bed days, average occupied beds and new beds required. Details of increased care at home capacity, admissions to Pavilion 3 – Intermediate Care and Rehabilitation Hub, occupancy and lengths of stay in Pavilion 3, funding of care home placements, telecare/community alarm services – 999 response service and social care assessments in hospital.

Noted.

16. Date of Next Meeting

The next meeting will be held on Thursday 2016 at 10.00 a.m. in the Council Chambers, Cunninghame House, Irvine.

17. Exclusion of the Public

The Board 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 Paragraphs 4 and 8 of Part 1 of Schedule 7A of the Act.

17.1 Integrated Care Fund

Submitted report by Jo Gibson, Principal Manager (Planning and Performance) on proposals for the Integrated Care Fund (ICF).

The report provided information on (a) the continued funding of a number of projects that had been agreed by the IJB at its meeting in February 2016; (b) discussions that took place with each of the 13 projects not recommended for funding and presentation opportunities taken up by 10 of these projects; (c) a recommendation on each of the 10 projects, totalling £230,000, of which £140,00 would be from the Integrated Care Fund.

Members asked questions and were provided with further information in relation to staffing issues that affected the start-up of projects.

The Board agreed to the recommendations outlined in the J. Gibson report.

18. Valedictory

The Chair advised Members that Lesley Aird, Section 95 Officer, would be leaving the Council and the North Ayrshire Health and Social Care Partnership to take up a new post.

The Chair thanked Lesley for her outstanding contribution to the work of the partnership and wished her the very best in her new role. Members of the Board joined the Chair in paying tribute to Lesley.

Lesley thanked the Chair and the Board for their kind words.

The meeting ended at 12.50 p.m.

Planning Committee
23 March 2016

Irvine, 23 March 2016 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, Ian Clarkson, Ronnie McNicol, Tom Marshall and Robert Steel..

In Attendance

J. Miller, Senior Manager (Planning) (Economy and Communities); A. Craig, Team Manager (Litigation) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Brown.

Apologies for Absence

John Bruce.

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 meetings of the Committee held on 2 March 2016 and 9 March 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

2.1 Matter Arising from Meeting on 9 March 2016

16/00124/PP - site to the north east of Wee Minnemoer, Millport, Isle of Cumbrae

At the meeting on 9 March 2016, the Committee agreed that the application be called in and determined by the Planning Committee and not by officers under delegated powers.

The Committee was advised that a site visit had been requested to allow Members to view the site and surrounding area and that arrangements would be made for the site visit to take place, prior to consideration of the application by the Committee on 27 April 2016.

Noted.

3. Kilbirnie and Beith

15/00778/PPM: Site to east of West Bankside Farm, Kilbirnie

Muir Homes Limited, Muir House, Belleknowes Industrial Estate has applied for planning permission for the erection of 200 dwellinghouses including the formation of associated roads, footpaths, SuDS pond and open spaces at the site to the east of West Bankside Farm, Kilbirnie. Seventeen letters of representation were received, as detailed in the report. The Committee was also advised of an objection received from Councillor Dickson in respect of road and traffic issues and noted that these issues had already been considered within the report.

The Committee agreed to continue consideration of the application to a future meeting to allow for further discussion with the developer in relation to (i) road and traffic issues at Largs Road, Kilbirnie; and (ii) the proposed suitability of the housetypes along the Largs Road frontage within the proposed development.

4. Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997:96 Greenock Road, Largs

Submitted report by the Executive Director (Economy & Communities) seeking authority to serve a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring cessation of the use of the land for the siting of an unauthorised timber clad container housing biomass boiler and fuel store.

An application for planning permission was received in October 2014 for the siting of a self contained biomass boiler and fuel store within a timber clad steel container located to the side of the hotel (ref: 14/00606/PP) at 96 Greenock Road, Largs, also known as the Willowbank Hotel. The application was withdrawn on 12 November 2014. Prior to the withdrawal of the application it was noted that the development had already been undertaken. The application had been the subject of both consultation and neighbour notification. Environmental Health had expressed serious reservations regarding the development. Four objections were also received from members of the public.

The applicants stated that they would re-submit a retrospective application addressing the concerns of Environmental Health. Despite repeated requests, a new application has not been received. The container with the biomass boiler and fuel store remains at the property.

The Committee agreed to grant authority for the service of a Notice under Section 127 of the Town and Country Planning (Scotland) Act 1997 requiring cessation of the use of the land for the siting of an unauthorised timber clad container housing biomass boiler and fuel store at 96 Greenock Road, Largs.

5. Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: 115 Bank Street, Irvine

Submitted report by the Executive Director (Economy & Communities) seeking authority to serve a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to a planning permission (ref: 13/00083/PP).

Planning permission was granted on 17 June 2003 (ref: 03/00083/PP) for the erection of an extension to an existing garage/workshop to form a separate car repair business. The permission was granted subject to several conditions including Condition 3, which requires that the garage business shall not operate between the hours of 6.00 pm on any day and 8.00 am the following day except on Sundays, when the business shall only operate between the hours of 10.00 am and 6.00 pm. The Council first received complaints that the condition was not being complied with in November 2012. Since that date there has been sporadic non-compliance with the condition.

The owner of the property has been contacted by letter and contacted on several occasions and requested to fully comply with the requirements of the condition attached to the planning permission. Whilst this action has resulted in periods of compliance, the Council continues to receive complaints that the business is operating outwith the permitted hours.

In the interests of the amenity of the area, it was proposed to issue a Breach of Condition Notice requiring the following in respect of planning permission dated 17 June 2003 (ref: 03/00083/PP): (i) Operate the garage business only within the following hours; 08.00 to 18.00 Monday to Saturday and 10.00 to 18.00 Sundays as required by Condition 3. It was proposed that the compliance period be within 6 weeks from the date of issue of the Notice.

The Committee was advised that the owner of the property has now made contact with the Council and discussions were ongoing.

The Committee agreed to continue consideration of the Notice to the meeting on 27 April 2016.

6. Draft Planning Delivery Advice: Housing and Infrastructure

Submitted report by the Executive Director (Economy and Communities) on the Council's response to the Draft Planning Delivery Advice: Housing and Infrastructure.

The Scottish Government directs Scotland's planning system through national policy and guidance. In February 2016, the Scottish Government invited planning authorities and developers to comment on a new draft advice document, 'Draft Planning Delivery Advice: Housing and Infrastructure'. The report provided general background to the advice at Sections 3.2 (Development Plans that Deliver), 3.4 (Planning to deliver homes) and 3.6 (Planning for Infrastructure) of the report, followed by the proposed responses to the advice.

The Committee agreed to the submission of the report as the Council's formal response on the Draft Planning Delivery Advice.

The meeting ended at 2.55 p.m.

North Coast Area Committee
24 March 2016

Millport, 24 March 2016 - At a Meeting of the North Coast Area Committee at 1.45 p.m.

Present

Alex Gallagher, Alan Hill, Tom Marshall and Grace McLean.

In Attendance

Y. Holland, Project Manager, T. Reaney, Senior Manager, (Streetscene), Helen Miller, Streetscene Officer (North Coast) (Place); George Hunter, Town Centre Manager, Jim McHarg, Senior Manager, Participation and Empowerment and Bernadette Anderson, Performance/Information Officer (Economy and Communities); Mhari Burley, Communications Support Officer, M. Anderson, Committee Services Team Leader and Ann Pearson, Committee Services Support Officer (Chief Executive's Service).

Also In Attendance

G.Fleming (Scottish Fire & Rescue) and Bruce MacAulay (6274).

Chair

Councillor Gallagher in the Chair.

1. Chair's Remarks

In terms of Standing Order 9.3, the Chair agreed to vary the order of business to allow earlier consideration of Agenda Item 6.1 (Millport Flood Protection Scheme).

2. Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Hill declared an indirect financial interest in Agenda Item 7 (Local Youth Action Fund: Application for Financial Assistance) in relation to the grant application by Largs Colts.

3. Minutes

The accuracy of the Minutes of the ordinary Meeting of the Committee held on 11 February 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Haylie Brae: Augmented Reality Information Board

The Committee received a presentation from a representative of the company 6274 in respect of the 'Augmented Reality' information sign planned for Haylie Brae car park.

The presentation highlighted proposals for a totem pole approximately 2m high, with augmented reality content which might include information on local wildlife and flora, as well as general information on Largs.

The Members present and, at the invitation of the Chair, members of the public in attendance, asked questions, and received clarification, on the following:-

- the estimated cost of the sign and any ongoing maintenance costs;
- security of Haylie Brae car park location, including any road safety considerations;
- process of updating content
- ownership of any stand-alone domain website;
- timescale for implementation;
- the possibility of similar facility on Cumbrae and elsewhere in the North Coast area; and
- whether there were public toilet facilities at this location.

The Area Committee agreed to (a) express its support for the proposed augmented reality sign; and (b) note that officers would liaise with local Members on the augmented reality content.

5. CPP Partners

5.1 Police Scotland

The Committee noted that, on this occasion, a Police Scotland representative was not in attendance.

5.2 Scottish Fire and Rescue Service

Submitted report by Scottish Fire and Rescue Service on incidents within the North Coast area for the period 29 January to 10 March 2016, including information on the following:-

- some 25 incidents in the local area, comprising 19 in the Largs area, 2 in Skelmorlie and 4 in Millport;
- 16 unwanted fire alarm incidents and 4 special services events; and
- community safety initiatives including post domestic reviews, Home Fire Safety Visits and spring Thematic Action Plans.

Members discussed the following:-

- visits to local schools as part of the Spring Thematic Action Plan; and
- the reduced number of grass fires (secondary fires);

Station Manager Fleming undertook to provide Members with information on trends in terms of incidents within the committee's area.

Noted.

6. Largs Report

6.1 Largs Sea Front Car Park - Update on Projects and Car Park Usage

Submitted report by the Executive Director (Place) on the implementation of agreed projects and the usage of the Largs Sea Front Car Park between 1 July and 31 December 2015.

The Senior Manager (Streetscene) provided a verbal update on a recent development in relation to the Largs sea front car park, advising that, as a result of cabling problems, the car park barrier had been removed. The Committee was advised of interim arrangements to manage access the car park pending a quote for the future repair and maintenance of the barrier system.

Members discussed the following:-

- current balance of car park fund;
- parking durations for the period July - December 2015;
- possible reasons for a reduction in the number of vehicles using car park;
- the cost of retaining public toilet provision in Largs; and
- the loss of income arising from issues with the seafront car park barrier system.

The Senior Manager (Streetscene) undertook to (i) circulate to local Members a copy of the options appraisal report on the car park barrier system, when this became available; and (ii) clarify when the Council decision to provide funding from Largs Car Park Fund for public toilet provision in Largs would take effect.

Noted.

7. Cumbrae Report

7.1 Millport Flood Protection Scheme

Submitted report by the Executive Director (Economy and Communities) on the position in respect of the Millport Flood Protection Scheme.

The Senior Manager (Streetscene) provided a verbal update on the receipt of tenders for the outline design, the consultation process and the anticipated start of the design work.

Members asked questions and received information on the following:-

- the design scheme which will inform next phase of consultation;
- plans for the related public consultation; and
- the success of the consultation exercise in respect of the Largs flood prevention measures.

The Senior Manager (Streetscene) undertook to keep local Members informed on progress with this project, including public consultation arrangements.

Noted.

8. Further Largs Reports

8.1 Place Update - Largs

Submitted report by the Executive Director (Place) on the Largs Campus development.

The Project Manager(Place) provided a verbal update on the project, advising that it may be necessary to apply for an early works package in order to meet the planned project deadline and referring to plans to delay the transfer of secondary school pupils to the new facility to minimise any impact on educational attainment.

Members asked questions and received information on the following:-

- the potentially adverse impact of planned timing of the transfer to the new facility on secondary school pupils taking exams;
- the cost and source of steel for the project;
- any penalties which might arise in terms of the Scottish Future Trust in the event of a delay in all pupils transferring to the new campus.

The Project Manager (Place) undertook to provide local Members with a paper setting out an assessment of the options for transferring secondary school pupils to the new campus.

Noted.

8.2 Economy and Communities Update - Largs

Submitted report by the Executive Director (Economy and Communities) on updates in respect of the projects in the Largs area. A copy of the Masterplan document was circulated to Members for information prior to publication of the finalised document.

The report provided updates in respect of Largs Masterplan, including information on the prospectus for an Ayrshire Growth Deal, and Largs Matters BID, whose business plan includes a programme of summer festivals.

The Members present and, at the invitation of the Chair, members of the public in attendance, asked questions, and received clarification, on the following:-

- the decision at Council's budget meeting to include the Largs Masterplan in the Ayrshire Growth Deal;
- a suggestion that work on the promenade would be prioritised over improvements to Gallowgate Square;
- the potential compulsory purchase of a derelict building on Gallowgate Square and whether a planning application had now been received in respect of this property; and
- the positive work of Largs Matters in promoting festivals in the area.

The Committee agreed (a) to recommend that work to progress the Gallowgate Square element of the Masterplan be suspended pending the outcome of further consideration of the Masterplan priorities; and (b) otherwise, to note the content of the report.

9. Further Cumbrae Reports

9.1 Economy and Communities Update - Millport

Submitted report by the Executive Director (Economy and Communities) on actions taken in relation to the projects on Cumbrae, including developments in relation to the Millport Conservation Area Regeneration Scheme (CARS), the Garrison Grounds Estate Masterplan, Millport Economic Group, Millport Field Centre and Millport Pier Inner Harbour.

The Town Centre Manager provided a verbal update on the appointment of Jim Cumming (Economy and Communities) as the CARS Officer for Millport.

The Members present and, at the invitation of the Chair, members of the public in attendance, asked questions, and received clarification, on the following:-

- the likely timescale for further progress in respect of Millport Economic Group;
- the composition of Millport Economic Group;
- the role of the community council in contributing to the work of Millport Economic Group;
- the involvement of Cumbrae Community Development Company (CCDC) in Millport inner harbour and its plans for the project;
- the representativeness of CCDC and arrangements for publicising its meetings and Minutes;
- positive activity on Cumbrae and the importance of identifying projects to be taken forward in Fairlie and Skelmorlie; and
- the current state of repair of Millport Town Hall.

The Committee agreed (a) the request that local Members receive a copy of the Minutes of meetings of Cumbrae Community Development Company; and (b) otherwise, to note the content of the report.

10. Community Development Grant Scheme and Local Youth Action Fund: Application for Financial Assistance

Submitted report by the Executive Director (Economy and Communities) on applications received in respect of the Community Development Grant Scheme and the Local Youth Action Fund 2015/16.

The Senior Manager (Participation and Empowerment) provided a verbal update on the award of £2,000 from the Commonwealth Games Legacy fund for the Living Willow sculpture on Cumbrae.

The Committee agreed to make the following awards:-

Community Development Grant Scheme

Organisation	Award
Age Concern - Largs	£ 725.17

Local Youth Action Fund

Largs Colts	£ 555.60
-------------	----------

11. Largs Common Good Fund : Application for Financial Assistance

Submitted report by the Chief Executive on applications received in respect of the Largs Common Good Fund

The Committee agreed to make an award of £2,000 to Largs Events.

The Meeting ended at 3.00 p.m.

Cabinet
29 March 2016

IRVINE, 29 March 2016 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, John Bruce, Marie Burns, Anthea Dickson, Tony Gurney, Ruth Maguire, Elizabeth Higton, Mark Fraser (Church Representatives) (Agenda Items 1 - 7) and Courtney Gemmell and Dara Howie (Youth Representatives) (Agenda Items 1 - 7).

In Attendance

E. Murray, Chief Executive; L. Friel, Executive Director, M. Hogg, Senior Manager (Financial Management) and P. Doak, Senior Manager (Internal Audit, Risk and Performance) (Finance and Corporate Support); John Butcher, Executive Director, S. Quinn, Head of Service (Schools) and A. McClelland, Senior Manager (Education and Youth Employment); C. Hatton, Executive Director and L. Cree, Senior Manager (Property Management and Investment) (Place); I. Colvin, Director (Health and Social Care Partnership), M. Adams, Programme Manager (Early Intervention and Prevention) and M. Inglis, Senior Manager (Intervention Services); A. Fraser, Head of Democratic Services, J. Hutchison, Communications Officer (Media and Internal Communications) and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

A. Hill and the Very Reverend Matthew Canon McManus.

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 held on 15 March 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. INSIGHT School Leavers' Attainment Results 2015

Submitted report and presentation by the Executive Director (Education and Youth Employment) on the performance of North Ayrshire schools in the Scottish Qualification Authority (SQA) examinations of 2015, including the current position in relation to improving attainment in Literacy and Numeracy (Appendix 1); Improving Attainment for All (Appendices 2a - 2c); Attainment vs. Deprivation (Appendices 3a - 3b); Increasing Post-School Participation (Appendix 4); and an Executive Summary of the INSIGHT School Leavers' Attainment Results 2015 (Appendix 5).

Members asked questions, and were provided with further information, on the following:-

- improving attainment in literacy and numeracy and a focus on these areas within the primary sector;
- the benchmarking methodology used by INSIGHT which is centred on a Virtual Comparator and replaces the group of comparator schools/authorities used in Standard Tables and Charts (STACs) as the main performance evaluation tool;
- key characteristics that make up the virtual school and matches ten leavers from across Scotland to every one of the leavers in each school; and
- circulation of the presentation to all Members of the Council.

The Cabinet agreed (a) to note the content of the report and the achievements of school leavers in last year's SQA examinations and the measures being taken to improve attainment in keeping with our commitment to the Scottish Attainment Challenge; and (b) that the Executive Director (Education and Youth Employment) circulate the presentation to all Members of the Council.

4. Education and Youth Employment: Autistic Spectrum Disorder Strategy and Policy 2016 - 2020

Submitted report by the Executive Director (Education & Youth Employment) on (a) the Scottish Government's 10 year Scottish Strategy for Autism; and (b) the development of North Ayrshire's draft Autistic Spectrum Disorder (ASD) Strategy and Policy 2016 - 2020 and Action Plan (Appendix 1).

Members asked questions, and were provided with further information, on the following:-

- work that is being done to roll out training for staff in relation to ASD;
- specialist training that will be provided for those working directly with pupils and children with ASD; and
- support for families that is provided via specialists units and additional support needs schools.

The Cabinet agreed (a) to approve the Autistic Spectrum Disorder Strategy and Policy 2016 - 2020, as outlined in Appendix 1 to the report; and (b) that officers continue to work to enhance the ASD provision in Education and Youth Employment.

5. North Ayrshire Children's Services Plan 2016-20

Submitted report by the Director (Health and Social Care Partnership) on the development of the North Ayrshire Children's Services Plan 2016-20: Getting It Right For You, based on the four priorities from the Improving Children's Outcomes survey with the Scottish Government and the Dartington Social Research Unit. The draft Children's Services Plan was attached at Appendix 1 to the report and contained the Action Plan detailing actions against each promise to indicate what is planned to deliver them.

The Cabinet thanked the staff and young people for the work that had been done in preparing the North Ayrshire Children's Services Plan 2016-20: Getting It Right For You.

Noted.

6. Children's Services Change Projects

Submitted report by the Director (Health and Social Care Partnership) on the governance arrangements for children's services change projects that included (a) the establishment of a Young People Support Review Board, co-chaired by the Heads of Service from Education and Youth Employment and the Health and Social Care Partnership; and (b) details of the eight change projects being taken forward, as outlined in Appendix 1 to report.

Members asked questions, and were provided with further information, on projects that may continue for more than one year and the Children's and Young People Support Board that would continue to oversee the delivery of the projects.

The Cabinet agreed to approve the governance and reporting arrangements for the Children's Change Programmes as detailed in Appendix 1 to the report.

7. Corporate Parenting

Submitted report by the Director (Health and Social Care Partnership) on (a) the work progressing as part of the Corporate Parenting responsibilities of the Health and Social Care Partnership for Looked After Children; (b) the introduction of the Scottish Care Leavers Covenant (2015) to support Scotland's corporate parents in fulfilling their duties to improve the life chances of all of Scotland's care leavers; and (c) areas of improvement in supporting young care leavers towards entering education, employment and training and work that will be done to update the Corporate Parenting Strategy 2014/17 in light of the Children and Young Person Act 2014.

Members asked questions, and were provided with further information, on the following:-

- Aftercare and Throughcare Programmes that work with young people and Who Cares Scotland; and
- consideration of an event for Members on the work of Who Cares Scotland.

The Cabinet agreed (a) to approve the approach to Corporate Parenting under the new Act; (b) to adopt the Scottish Care Leavers Covenant (2015); and (c) that the Director (Health and Social Care Partnership) arrange an event on the work of Who Cares Scotland for Members of the Council.

8. Revenue Budget 2015/16 : Budgetary Control Statement to 31 January 2016

Submitted report by the Executive Director (Finance and Corporate Support) which (a) set out the revenue budgetary control position for the Council at 31 January 2016; (b) provided a brief explanation of Services' major variances at Appendices 1 - 8; (c) detailed the proposed virements at Appendix 9; and (d) detailed the Housing Revenue account budgetary control position at 31 November 2015 at Appendix 10.

The Cabinet agreed to (a) note (i) the information and financial projections outlined in the report; and (ii) the current financial projection for the Health and Social Care Partnership; and (b) approve the virements detailed in Appendix 9.

9. Capital Monitoring to 31 January 2016

Submitted report by the Executive Director (Finance and Corporate Support) which provided information on the progress in delivering the Capital Investment Programme as at 31 January 2016, which included (a) actual expenditure to 31 January 2016 and forecast expenditure to 31 March 2016; (b) a projected outturn of £57.568m against a budget of £57.407m and a forecasted projected outturn for HRA of £21.469m against a budget of £21.870m.

The Cabinet agreed to (a) approve the revisions to budgets outlined at Sections 2.1, 2.6, 2.7 and 2.9 of the report; (b) note (i) the actual General Services and HRA expenditure and revised budgets to 30 January 2016; and (ii) the forecast of expenditure to 31 March 2016.

10. North Ayrshire HSCP Recovery Plan

Submitted report by the Executive Director (Finance and Corporate Support) which set out (a) the projected overspend within the Health and Social Care Partnership (HSCP) and the action being taken to mitigate further pressures; and (b) the request for additional non-recurring funding of circa £1.255m for the HSCP in 2015/16.

Appendix 1 to the report provided details of the budget Deficit Recovery Plan 2015/16 presented to the Integration Joint Board (IJB) on 10 March 2016. The report included a breakdown of each budget with a significant projected budget variance and, where appropriate, the remedial action required was detailed. The Interim Budget 2016/17 report presented to the Integration Joint Board on 10 March 2016 was attached as Appendix 2 to the report.

Members asked questions, and were provided with further information, on the following:-

- early delivery of future savings through effective transition of service users from Care Home routes to Care at Home through the successful Pavilion 3 rehabilitation initiatives;
- a review of high cost care packages; and
- the circulation to Members of the Care at Home DVD that had recently been presented to the Integration Joint Board.

The Cabinet agreed to (a) approve a non-recurring contribution to cover the final IJB Social Services overspend of circa £1.255m in 2015/16, noting this can be accommodated within the Council bottom line budget; (b) advise the IJB that additional funding for 2015/16 is on a non-recurring basis with a requirement to ensure service delivery in 2016/17 is contained within the agreed budget; and (c) note that the IJB at its meeting on 10 March 2016 approved a delegated budget for 2016/17 for Social Care Services which meets the current known pressures providing a level of assurance of the non-recurring basis of the current funding request.

11. Equity Stake in DBFM Holdco

Submitted report by the Executive Director (Finance and Corporate Support) which set out (a) changes to the European System of Accounts 2010 rules (ESA10) which have amended the structure of Design Build Finance Maintain (DBFM) model which will be used to deliver the proposed Largs Campus; (b) the formation of DBFM Holdco which will be responsible for the delivery of the Largs Campus; (c) the requirement for the Council to be a 10% equity stakeholder in DBFM Holdco at a value of 10p; and (d) the proposed appointment of the Executive Director (Finance and Corporate Support) as a Director of DBFM Holdco and DBFM Co on behalf of the Council.

The Cabinet agreed to (a) grant authority to take a 10% equity stake in the DBFM Holdco set up for the delivery of Largs Campus; and (b) approve the appointment, if required, of the Executive Director (Finance and Corporate Support) as a Director of DBFM Holdco and DBFM Co on behalf of the Council

12. Strategic Risk Register 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) on (a) a review of the Strategic Risk Register undertaken by the Corporate Risk Management Group and Corporate Management Team, as detailed in Appendix 1 to the report; and (b) changes to the risk register and matrix as outlined in Sections 1.2 and 1.3 of the report.

The Cabinet agreed to approve the Strategy Risk Register for 2016/17 as outlined at Appendix 1 to the report.

13. Industrial Property Portfolio

Submitted report by the Executive Director (Place) which provided information on a review of the Council's Industrial Property Portfolio undertaken which identified several recommendations in respect of (i) the recovery of service charges; (ii) the condition of vacant units; (iii) marketing activity; (iv) Council occupation of space; (v) under-renting and (vi) the future delivery strategy which was detailed at section 2.6.2 of the report.

The Cabinet agreed to approve (a) the proposals to implement an alternative service delivery model for the management of the Council's industrial property portfolio; and (b) that a procurement exercise be carried out to appoint a delivery partner for the management of the portfolio.

The meeting ended at 3.45 p.m.

AYRSHIRE SHARED SERVICES JOINT COMMITTEE

Minutes of meeting in County Buildings, Wellington Square, Ayr,
on 1st April 2016 at 2.00 p.m.

- Present: Councillors Alec Clark, Peter Convery and John McDowall, South Ayrshire Council; and Councillors Bobby McDill and Maureen McKay, East Ayrshire Council.
- Chair: Councillor John McDowall, South Ayrshire Council.
- Apologies: Councillor Nan McFarlane, South Ayrshire Council; Councillor Tom Cook East Ayrshire Council; and Councillor Willie Gibson, North Ayrshire Council.
- Attending: Ralph Riddiough, Head of Legal and Democratic Services and Jill Cronin, Head of Enterprise, Development and Leisure, South Ayrshire Council; Stewart Turner, Head of Roads; Kevan Aitken, Network Manager; Kevin Braidwood, Operations Manager and Alasdair Sneddon, Programme Manager, Ayrshire Roads Alliance; and Lauren Sands, Committee Services Officer, South Ayrshire Council.

1. Declarations of Interest.

There were no declarations of interest by Members in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

2. Minutes of previous meeting.

The Minutes of 19th February 2016 (issued) ([link attached](#)) were submitted and approved.

AYRSHIRE ROADS ALLIANCE

3. Update on Performance Scorecard.

There was submitted a report (issued) of March 2016 ([link attached](#)) by the Head of Roads - Ayrshire Roads Alliance, advising the Joint Committee regarding progress made to date against the Performance Scorecard.

A question was raised in relation to the variance in percentages under PS4.6.S for the actual 2014-16 figure compared with the target figure for 2015-16 and the Scottish Local Authority 2012-14 figure. The Head of Roads, Ayrshire Roads Alliance, advised that South Ayrshire were in the bottom quartile but that the figures were improving. The Joint Committee heard that roads in the east of Scotland were in a better condition compared to Ayrshire due to the weather. The Head of Roads, Ayrshire Roads Alliance, further advised that East Ayrshire figures were better than South Ayrshire as there were more resources in East due to better funding.

Decided:

- (1) to note the performance scorecard and performance metrics presented in the report;
- (2) to continue to receive performance scorecard and performance metrics updates; and
- (3) otherwise, to note the contents of the report.

4. Risk Report and Register.

There was submitted a report (issued) of March 2016 ([link attached](#)) by the Head of Roads – Ayrshire Roads Alliance, advising the Joint Committee on the management of risk associated with the Ayrshire Roads Alliance.

A Member of the Joint Committee highlighted the use of jargon within the Risk Register, in particular Risk 23, and proposed the wording be amended to plain English. The Head of Roads, Ayrshire Roads Alliance, agreed to take the comments on board.

Decided:

- (1) to note the risk register presented in the report;
- (2) to continue to receive quarterly updates on the progress; and
- (3) otherwise, to note the contents of the report.

5. Bridge Condition and Inspection Review.

There was submitted a report (issued) of March 2016 ([link attached](#)) by the Head of Roads – Ayrshire Roads Alliance, updating the Joint Committee

- (1) on the position regarding bridge condition and inspection, and
- (2) on the procedures in place to manage the bridge stock in the East Ayrshire and South Ayrshire Council areas.

A question was raised in relation to who inspected private bridges and the Network Manager advised that Ayrshire Roads Alliance only carried out general inspections as it was the private owners' responsibilities to inspect their bridges. He further advised that there were a number of bridges over railways and these were the responsibility of Network Rail.

Decided:

- (a) to note the progress made against the Inspection Programme and Risk Register work; and
- (b) otherwise, to note the contents of the report.

6. Roadworks Programme 2015/16

There was submitted a report (issued) of March 2016 ([link attached](#)) by the Head of Roads - Ayrshire Roads Alliance, advising the Joint Committee of the progress made with the road improvement programmes within the geographical boundaries of East Ayrshire and South Ayrshire for financial year 2015-2016.

A Member of the Joint Committee highlighted that the amount of work carried out in East Ayrshire was not compatible with the work carried out in South Ayrshire and asked the reason for this. The Operations Manager, Ayrshire Roads Alliance, advised that the reason for this was due to the level of investment from each Council. The Head of Roads, Ayrshire Roads Alliance, further advised that the nature of the road works in each area was very similar but that there were different surfacing techniques used depending on the cost of the work.

Decided:

- (1) to note the Ayrshire Roads Alliance works progress; and
- (2) otherwise, to note the contents of the report.

7. Exclusion of press and public.

The Joint Committee resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded during consideration of the remaining item of business on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 1 of Part 1 of Schedule 7A of the Act.

8. Organisational Review.

There was submitted a report (issued to members only) of March 2016 by the Head of Roads – Ayrshire Roads Alliance

- (1) advising the Joint Committee on the outcome of the review of the management structure within the Ayrshire Roads Alliance; and
- (2) detailing recommendations for the future management arrangements for the service.

It was confirmed that the proposed structure should not result in any compulsory redundancies for existing staff. The future level of service provided by the Ayrshire Roads Alliance would be determined by the level of funding provided by each Council.

Councillor McKay, East Ayrshire Council, moved the recommendation as detailed in the report subject to support being sought from the Trade Unions on proposals.

She failed to find a seconder and therefore her Motion fell.

Decided: Councillor McKay dissenting,

- (a) to approve the proposed Ayrshire Roads Alliance management structure, as outlined within the report, subject to consultation with the Trade Unions;

- (b) to proceed on the basis of Option 3, as outlined in Appendix 4 of the report, as the new organisational structure for the Ayrshire Roads Alliance, subject to consultation with the Trade Unions;
- (c) to approve the indicative timetable to implement the new organisational structure, as outlined in table 3 of the report;
- (d) to agree that the organisational structure be reviewed two years after the implementation, to take stock of service requirements, business needs and age profile of the service at that juncture; and
- (e) to otherwise note the content of the report.

The meeting ended at 3.00 p.m.

Licensing Committee
12 April 2016

Irvine, 12 April 2016 - At a Special Meeting of the Licensing Committee of North Ayrshire Council at 2.00 p.m.

Present

Ian Clarkson, Robert Barr, John Easdale, Grace McLean, Ronnie McNicol and Donald Reid.

In Attendance

W. O'Brien, Solicitor (Licensing) and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Clarkson in the Chair.

Apologies for Absence

John Bruce, Tom Marshall and Catherine McMillan.

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. Exclusion of the Public

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 on the grounds indicated in terms of Paragraphs 6 and 14 of Part 1 of Schedule 7A of the Act.

3 Cinema Licence

Submitted report by the Chief Executive on a Hearing to be determined in terms of the Cinemas Act 1985, Section 3

The applicant, having been duly cited to attend, was in attendance and was represented.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

The applicant and his representative then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Councillor McNicol, seconded by Councillor McLean moved that the application be granted in terms of Cinemas Act 1985, Section 3 (subject to the Council's Standard Conditions and an additional condition concerning insurance and the display of the Licence) for a period commencing 12 April 2016 and expiring 31 December 2016. There being no amendment, the motion was declared carried.

The meeting ended at 2.15 p.m.

Licensing Committee
20 April 2016

Irvine, 20 April 2016 - At a Meeting of the Licensing Committee of North Ayrshire Council at 2.00 p.m.

Present

Ian Clarkson, Robert Barr, John Bruce, John Easdale, Tom Marshall, Grace McLean, Catherine McMillan, Ronnie McNicol and Donald Reid.

In Attendance

David Drennan, Team Manager Building Standards (Economy and Communities); W. O'Brien, Solicitor (Licensing), K. Sharkey, Solicitor (Contracts and Licensing), A. Toal, Administrative Assistant, and A. Little, Committee Services Officer (Chief Executive's Service).

Also In Attendance

Inspector J. Conway and Sergeant G. Griffiths (Police Scotland).

Chair

Councillor Clarkson 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 (i) ordinary meeting of the Committee held on 16 March and the (ii) special meeting held on 12 April 2016 was confirmed, and the Minutes were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3 Civic Government (Scotland) Act 1982: Licensing Matters

Submitted report by the Chief Executive on (a) Hearings to be determined; and (b) applications for the grant or renewal of licences and permits, all in terms of the Civic Government (Scotland) Act 1982.

Part A: Hearings

3.1 Public Entertainment Licence: Coastwatch Scotland Ltd PEL/289

The applicant, having been duly cited to attend, was present and accompanied by representatives from the Zipline event company and the bar provider. Representatives from Police Scotland were also in attendance.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant. The representatives from Police Scotland then addressed the Committee on the terms of a letter setting out an observation in relation to the application. Thereafter the applicant, the Zipline event company and bar provider addressed the Committee on the issues raised and responded to questions.

David Drennan, Senior Manager Building Standards, addressed the Committee on the issues identified by the Service in relation to the application. Thereafter the applicant addressed the Committee on the issues raised and responded to further questions.

The applicant, representatives from the events companies and representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to (a) 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 for one year; and (b) establish a Working Group, comprising three Elected Members, representatives from the Council's Licensing, Health and Safety and Building Standards Sections , Police Scotland, Scottish Fire and Rescue to monitor the progress and planning of the event and ensure compliance with all regulatory requirements and to report on a regular basis to the Licensing Committee.

3.2 Public Entertainment Licence: Kelburn Arts Ltd PEL/292

The applicant, having been duly cited to attend, was present. Representatives from Police Scotland were also in attendance.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant. The representatives from Police Scotland then addressed the Committee on the terms of a letter setting out an observation in relation to the application. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

Decision

The Committee unanimously 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.

3.3 Taxi Driver's Licence : Peter Smith TDL/01926

The applicant, having been duly cited to attend, was present. Representatives from Police Scotland were also in attendance.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant.

The Committee noted that:

- (1) the applicant had previously applied to the Council for a Taxi Driver's Licence and that on 19 November 2014 (Minute Item 3.7) they had agreed to refuse that application in terms of Paragraph 5(1)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982, on the ground set out in Paragraph 5(3)(a)(ii) of the said Schedule (that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence).
- (2) that the applicant had, in relation to his present application, disclosed material having a bearing on that ground of refusal; and
- (3) that the 'spent conviction' rules stated in The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013, No. 50 were altered with effect from 10th September 2015 by The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2015 No. 329.

The Committee was satisfied (a) that those matters were relevant considerations; and (b) that justice could not be done in the case except by admitting or requiring evidence relating to the applicant's Spent Convictions.

The Committee accordingly decided, under the Rehabilitation of Offenders Act 1974, Section 7(3), to admit and require such evidence, and to take that evidence into account in determining the present application.

The Chief Constable's representatives confirmed that the Chief Constable had no comment to make on the application.

Having made that decision, the Committee Members asked applicant questions about the material he had disclosed. The applicant addressed the Committee on his personal circumstances.

The applicant and representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Councillor Marshall seconded by Councillor McNicol, moved that the application be refused on the basis that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence.

As an amendment, Councillor Reid, seconded by Councillor Easdale, moved that the application be granted in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

On a division, there voted for the amendment 3 and for the motion 6, and the motion was declared carried.

Accordingly, the Committee agreed to refuse the application in terms of Paragraph 5(1)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982 on the grounds set out in Paragraph 5(3)(a)(ii) of the Schedule, that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence.

3.4 Public Charitable Collection: Janis Murchie

The applicant, having been duly cited to attend, was not present.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant. The applicant has applied for a Charitable Collection on 22, 23 and 24 April 2016 on Arran, which is outwith the Council's policy which only permits collections on a Saturday.

Decision

Councillor Barr seconded by Councillor Marshall, moved that there were not sufficient grounds to treat the case as an exception to the Council's policy on street collections and the application be granted for 23 April 2016 only.

As an amendment, Councillor Bruce, seconded by Councillor McNicol, moved that there were sufficient grounds to treat the case as an exception to the Council's policy on street collections and the application be granted in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

On a division, there voted for the amendment 7 and for the motion 2, and the amendment was declared carried.

Accordingly, the Committee agreed to grant the application under Section 119(5) of the Civic Government (Scotland) Act 1982 on the dates requested, subject to the Council's usual conditions.

3.5 Street Trader Operator's Licence: Robin Gray STL/O/429

The applicant, having been duly cited to attend, was not present.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant.

Decision

The Committee agreed to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

Part B: Applications for Licences and Renewal of Licences

3.6 Taxi Driver's Licence: James Watson TDL/00156 (New)

The Committee agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.7 Taxi Driver's Licence: Kerr Chapman TDL/01470 (New)

The Committee agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.8 Taxi Driver's Licence: Garry Hamilton TDL/01499 (Renewal)

The Committee agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.9 Glenview Caravan Site: CAR/019 (variation)

The Committee continued consideration of the licence-holder's request to alter the conditions of the Site Licence to a Hearing to afford to the licence-holder an opportunity of making representations, under Caravan Sites and Control of Development Act 1960, Section 8.

Part C: Issues in Respect of Existing Licences

3.10 Thomas Bagan: TDL/01642

The Committee agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982.

The Committee unanimously agreed, on the basis of the information presented, to proceed to a Suspension Hearing in terms of Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982.

The meeting ended at 12.55 p.m.

Cabinet
26 April 2016

Irvine, 26 April 2016 - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, John Bruce, Marie Burns, Anthea Dickson, Tony Gurney and Ruth Maguire.

In Attendance

E. Murray, Chief Executive; M. Hogg, Head of Finance, E. Gunn-Stewart, Head of Customer and Digital Services and A. Munn, Team Leader (Policies and Procedures) (Finance and Corporate Support); C. Amos, Head of Service (Inclusion) (Education and Youth Employment); K. Yeomans, Executive Director, C. McAuley, Head of Economic Growth, J. Miller, Senior Manager (Planning) and D. Hilditch, Transportation Engineer (Economy and Communities); C. Hatton, Executive Director and S. Kean, Building Services (ICC) (Place); A. Fraser, Head of Democratic Services, A. Todd, Senior Policy and Performance Officer, M. Sugden, Communications Officer (Media and Internal Communications) and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Alan Hill.

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 held on 29 March 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Directorate Plans 2016/19

Submitted report by the Chief Executive on the 2016 updates on the 2015/18 Directorate Plans 2016/19 as set out at Appendices 1 - 5 which are closely aligned to the Council Plan and are the main mechanism for reporting progress on the Council Plan throughout the year. The Health and Social Care Partnership's Strategic Plan 2015/18 is currently being refreshed and the revised Strategic Plan will be available in summer 2016.

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

Democratic Services

- costings that were now available for the average hourly rate of the in-house legal team compared to other in-house legal teams per SOLAR benchmarking of £55.18 for 2013/14 and £55.44 for 2014/15;
- information that was now available from the December 2015 survey that 95% of customers were very satisfied or satisfied with Legal services provided; and
- absence rates of 4.5 days lost per employee per annum for 2015/16.

Finance & Corporate Support

- embedding customer delight evidence standards across of Finance and Corporate Support teams which is a new measure to report high levels of customer satisfaction;
- work that is being done in the preparation of a Digital Strategy;
- delivering a channel shift in how the public contact the Council and the streamlining and digitising of back office functions; and
- two senior members of staff that are part of the Scottish Government's Digital Champions Development Programme about the transformational potential of digital tools and technology and two further places that have been secured for Executive Directors on this programme.

Place

- progress that has been made in the Council Housing Building programme, where half of the target of 500 houses has been achieved;
- the Strategic Housing Investment Plan that supports working with Housing Associations; and
- work that will be done in respect of the development of community owned energy.

The Cabinet agreed to (a) approve the five Directorate Plans 2016/17 as set out at Appendices 1 - 5; (b) receive 6-monthly progress reports; and (c) refer the report to the Scrutiny and Petitions Committee for further scrutiny

4. Clyde Marine Planning Partnership

Submitted report by the Executive Director (Economy and Communities) on the new Clyde Marine Planning Partnership (CMPP) for the Clyde Marine Region. The report provided details of the CMPP's remit, governance arrangements and relevance to North Ayrshire, the new statutory responsibilities, the legislative requirements of the Clyde Regional Marine Plan, organisations with a permanent position on the Board and the historic arrangements when North Ayrshire and South Ayrshire Councils shared one single position on the Board.

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

- the group Clydeplan that includes East Dunbartonshire, East Renfrewshire, Glasgow City, Inverclyde, North Lanarkshire, Renfrewshire, South Lanarkshire and West Dunbartonshire Councils;
- that the CMPP meeting in June 2016 would consider the request from North Ayrshire Council for a full permanent position on the Partnership; and
- the pending publication of the sea-level rise report.

The Cabinet agreed (a) to North Ayrshire Council participating in the new Clyde Marine Planning Partnership; and (b) delegate authority to the Executive Director (Economy and Communities) to (i) select Officer representations from Economy and Communities for the Board and Member Group of the Clyde Marine Planning Partnership; (ii) negotiate a full, permanent Board position for the Council; and (iii) that the Chief Executive write to Marine Scotland and the new chair of the CMPP in support of a permanent position for North Ayrshire Council.

5. Strathclyde Partnership for Transport (SPT) Grant Funding

Submitted report by the Executive Director (Economy and Communities) on the offers of grant funding of £480,000 from Strathclyde Partnership for Transport (SPT) for 2016-17. The projects agreed in principle included:- A841 Brodick to Lochranza Ferry link upgrade, Hawkhill Roundabout improvements, Irvine Town Centre Bus Infrastructure Improvements and General Bus Stop Infrastructure Improvements. In addition, SPT are providing £500,000 funding to Caledonian Maritime Assets Ltd for improved bus interchange facilities at the Brodick Ferry Terminal.

Members asked questions and were provided with further information in relation to a report to Cabinet on 24 May 2016 on proposals for the annual funding applications to SPT, including the process and timescales.

The Cabinet agreed (a) to approve the acceptance and expenditure of the grant offers as detailed within the report; and (b) that a list of potential SPT funded projects for 2017-18 be submitted to Cabinet for approval.

6. Audit Scotland Report: An Overview of Local Government in Scotland 2016

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of the recent Audit Scotland report 'An Overview of Local Government in Scotland'. The report highlighted the key messages and issues of the Audit Scotland Report, which was attached as Appendix 1 to the report. Appendix 2 to the report detailed actions points and the relevant work that has been undertaken, or is planned to be undertaken by the Council to address these. A 'self-assessment toolkit for Councillors' was attached at Appendix 3 to the report.

The Cabinet agreed to endorse the findings of the recent Audit Scotland report and the work which has already been done and is planned to be done by the Council in tackling the action points highlighted by Audit Scotland, as detailed in Appendix 2 to the report

7. Clyde Valley Residual Waste Project

Submitted report by the Executive Director (Place) which (a) set out the Clyde Valley Residual Waste Project: and (b) sought authority to enter into a Post Contract Inter Authority Agreement (IAA) with four Partner Councils, which will involve North Lanarkshire Council, as Lead Authority, entering into a Contract (the Project Agreement) with Viridor Clyde Valley Limited (Viridor) for the Treatment of Residual Waste for a 25 year period.

The Cabinet agreed (a) to approve the Final Business Case attached as Appendix A of the confidential papers; (b) to enter in to the Post Contract Inter Authority Agreement for the joint provision of Residual Waste Treatment and Disposal Services on behalf of North Ayrshire Council attached as Appendix B of the confidential papers (c) to authorise the Project Leader to agree such amendments to the draft Project Agreement and the draft Parent Company Guarantee as he considers necessary to achieve Financial Close, including any adjustments to the draft Payment Mechanism for Foreign Exchange as agreed in the Financial Close Protocol and any adjustments required to reflect any post-tender changes in the First Employee List; (d) delegate authority to the Executive Director (Place) to agree such minor amendments to the Post Contract Inter Authority Agreement as may be required and (e) that, subject to the Inter Authority Agreement being executed by the other Partner Councils, the Chief Executive or their authorised delegate, be authorised to execute, [in the presence of a witness], the finalised versions of each of (i) the Project Agreement with [Viridor Clyde Valley Limited]; (ii) the Parent Company Guarantee from Viridor Limited; (iii) the Post Contract Inter Authority Agreement; (iv) a Certificate pursuant to the Local Government (Contracts) Act 1997 in respect of the Project Agreement and (v) any other ancillary documentation reasonably required in relation to the Project.

8. Framework Agreement for the provision of Central Heating / Combined Central Heating and Electrical Rewiring to residential properties

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Framework Agreement for Central Heating / Combined Central Heating and Electrical Rewiring.

The Cabinet agreed to (a) approve the award of the framework to five contractors (McTear Contracts Ltd, James Frew Ltd, CCG (Scotland) Ltd, Saltire Facilities Management Ltd and Turner facilities Management Ltd) at a total estimated value of the overall Framework Agreement, including any possible extensions, of £9,031,217.65; and (b) award the first phase of the works to McTear Contracts Ltd.

9. Framework Agreement for the provision of Electrical Rewiring Works to residential properties

Submitted report by the Executive Director (Finance and Corporate Support) on the result of the tender exercise for the Framework Agreement for Electrical Rewiring Works to residential properties.

The Cabinet agreed to (a) approve the award of the framework to five contractors (G.D. Chalmers Ltd, Jordan Electrics Ltd, Maclin Electrics Ltd, McTear Contracts Ltd and Saltire Facilities Management Ltd) at a total estimated value of the overall Framework Agreement, including any possible extensions, of £2,212,671.76; and (b) award the first phase of the works to McTear Contracts Ltd

The meeting ended at 3.30 p.m.

Planning Committee
27 April 2016

Irvine, 27 April 2016 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, John Bruce, Ian Clarkson, Ronnie McNicol, Tom Marshall and Robert Steel.

In Attendance

J. Miller, Senior Manager (Planning) (Economy and Communities); A. Craig, Team Manager (Litigation) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Brown.

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 meetings of the Committee held on 23 March 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Garnock Valley

15/00778/PPM: Site to east of West Bankside Farm, Kilbirnie

Muir Homes Limited, Muir House, Belleknowes Industrial Estate has applied for planning permission for the erection of 200 dwellinghouses including the formation of associated roads, footpaths, SuDS pond and open spaces at the site to the east of West Bankside Farm, Kilbirnie. Seventeen letters of representation were received, as detailed in the report. An objection had also been received from Councillor Dickson in respect of road and traffic issues which had already been considered within the report.

The application was continued from the previous meeting to allow for further discussion with the developer in relation to (i) road and traffic issues at Largs Road, Kilbirnie; and (ii) the proposed suitability of the housetypes along the Largs Road frontage within the proposed development. On 31 March 2016, the applicants together with their agent met with Officers to discuss these issues, and thereafter submitted:-

- Detailed drawings indicating further road calming measures along Largs Road. A planning condition has been added to ensure that the proposed traffic calming measures, as shown on the submitted drawing, accord with the RCC submission.
- Revised plans substituting the proposed semi-detached and terraced properties along the site frontage at Largs Road with bungalows. The proposed bungalows would be accessed from driveways off Largs Road; and
- A landscape plan detailing the structure planting along the western site boundary.

The Committee agreed (a) to grant the application subject to (i) that the permission clearly details the agreed replacement of 2 or 3 storey houses with 10 bungalows on Largs Road, Kilbirnie; and (ii) the conditions detailed below.

1. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.
2. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.
3. That prior to the occupation of any of the dwellinghouses and where Council adoption of open space and landscaped areas is not to be pursued, details of the proposed factor or management agency for all areas of open space, landscaping and SuDs pond within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the areas of open space and landscaping shall be maintained and managed in accordance with the details as may be approved under the terms of Condition 1 above.

4. That, prior to the commencement of the development, details of phasing shall be submitted for the written approval of North Ayrshire Council, which shall incorporate phasing details for off-site infrastructure works, SuDS, tree planting and open space provision. Thereafter, the development shall be implemented only in accordance with such phasing as may be agreed with North Ayrshire Council as Planning Authority, unless otherwise agreed in writing.
5. That, prior to the commencement of the development, details of all boundary treatments to be formed shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, all boundary fences and walls as may be approved relating to or adjacent to each plot shall be erected prior to the occupation of the dwelling within that plot. All other boundary treatments shall be erected prior to the completion of each phase within the development, all to the satisfaction of North Ayrshire Council as Planning Authority.
6. That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
7. That, prior to the commencement of the development, hereby approved, full details of proposed treeworks and tree protection measures for the development shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The details shall comply with the principles and practices contained in "BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations." Detailed plans indicating tree protection fencing to be erected, an Arboricultural Impact Assessment and an Arboricultural Method Statement shall be submitted for written approval. For the avoidance of doubt:
 - there shall be no treeworks undertaken during the main bird breeding season (March - September);
 - all tree protection measures to be erected shall be maintained in a satisfactory condition for the duration of all engineering and construction operations until the completion of the development.

The development shall be implemented only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

8. That, prior to the commencement of the development, hereby approved, confirmation shall be submitted in writing to North Ayrshire Council as Planning Authority and certified by a suitably qualified person that a scheme to treat the surface water arising from the site has been prepared in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015). For the avoidance of doubt, this shall include calculations to demonstrate a reduction in surface water flow from the development below the green field run-off rate for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the certified scheme shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.
9. That, during the implementation of the development hereby approved all recommendations contained within the report titled " Proposed Residential Development Largs Road, Kilbirnie Flood Risk Assessment and Drainage Strategy " by Dougall Baillie Associates dated March 2015 shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.
10. That, prior to the erection of any of the dwellinghouses hereby approved, a detailed schedule of the proposed external finishes for each of the dwellinghouses together with a plan and schedule of the surface treatments to be used on the roads and footpaths within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the houses, roads and footpaths shall be constructed only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.
11. That the first 2 metres of the driveways, measured from the heel of the footway shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.
12. That prior to the occupation of the dwellinghouses hereby approved, a minimum parking provision of 2 spaces for two/three bedroom houses and 3 spaces for four/five bedroom houses; shall be provided within the curtilage of the site and thereafter retained to the satisfaction of North Ayrshire Council as Planning Authority. For the avoidance of doubt, a garage will constitute 1 parking space and should be retained as such unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.
13. That the paths connecting the site with School Road and Largs Road shall be constructed to a multi user and all abilities access standard to the satisfaction of North Ayrshire Council as Planning Authority.

14. That prior to the commencement of the development, hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, sections through the site to demonstrate both details of finished floor levels and ground levels within the development.
15. That any subsequent Road Construction Consent application shall accord with the approved plan titled Site Access Option 1 dated 7 April 2016 (ref. 15027-SK-05), unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.

4. North Coast and Cumbraes

16/00124/PP: Site To The North East Of Wee Minnemoer

Comsol Energy Limited has applied for planning permission for the installation of a photovoltaic solar farm with an output of up to 5MW and associated infrastructure at the site to the north east of Wee Minnemoer, Millport, Isle of Cumbrae. Forty-one letters of objection and one letter of support were received, as detailed in the report.

At the meeting on 9 March 2016, the Committee agreed that the application be called in and determined by the Planning Committee and not by Officers under delegated powers. The Committee was advised that a site familiarisation visit had been requested to allow Members to view the site and surrounding area. The visit was held on 25 April 2016.

The Committee was advised of an objection received from Councillor Gallagher in respect of the adverse effects on the landscape and ecology of the island, topology and views on and off the island which had already been considered within the report.

The Committee agreed, subject to the applicant entering into a Section 75 Agreement in respect of (i) a restoration bond; and (ii) an additional condition in relation to the timescale for the construction of the solar farm (Condition 11), to grant the application, subject to the conditions detailed below; and (b) in the event that the applicant does not agree to the Section 75 Agreement that the application is continued to a future meeting of the Committee for consideration.

1. That, prior to the commencement of the development, hereby approved, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority, details of the proposed design, location and external finishes for the supporting infrastructure, including control room, inverter cabin, customer cabin, access road and tracks, turning areas and parking. The approved external finishes shall be installed and maintained in perpetuity to the satisfaction of North Ayrshire Council as Planning Authority.
2. That, details of the security fence and CCTV system shall be agreed in writing with North Ayrshire Council as Planning Authority prior to the commencement of any works. Thereafter, the approved fencing shall be implemented prior to the coming into use of the solar farm and thereafter maintained, all to the satisfaction of North Ayrshire Council as Planning Authority.

3. That, the rated noise level as defined in BS 4142:2014 of the proposed plant and ancillary equipment shall not exceed the existing background noise level by 5Db(A) or more at the curtilage of nearby noise sensitive premises, to the satisfaction of North Ayrshire Council as Planning Authority.
4. That, prior to the commencement of the development, full details of the connection to the national grid, including the requirement for any on site or off site infrastructure shall be submitted for the written approval of North Ayrshire Council as Planning Authority.
5. That, the developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to North Ayrshire Council as Planning Authority, during all ground disturbance. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record, recover and report items of interest and finds. A method statement for the watching brief will be submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by North Ayrshire Council as Planning Authority prior to commencement of the watching brief. The name of the archaeological organisation retained by the developer shall be given to North Ayrshire Council as Planning Authority and to the West of Scotland Archaeology Service in writing not less than 14 days before development commences.
6. That, within six months of the cessation of electricity generation by the solar PV facility, or within six months following a permanent cessation of construction works prior to the solar facility coming into operational use, whichever is the sooner, the solar PV panels, frames and all associated structures and fencing, hereby approved shall be removed from the site. Thereafter the site shall be restored in accordance with a scheme of restoration to be approved in writing by North Ayrshire Council as Planning Authority prior to the cessation of the operation of the site.
7. That, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority, the applicant shall construct and operate the development in accordance with the provisions of the application, the supporting reports (planning statement, traffic and access statement, landscape and visual assessment, environmental report, ecological appraisal and archaeological report) and submitted plans and shall fully implement the mitigation measures contained within the submission to the satisfaction of North Ayrshire Council as Planning Authority. For clarification, details of the boundary planting along the western and north-western boundaries of the site shall be submitted for the prior written approval of North Ayrshire Council as Planning Authority.
8. Notwithstanding the provision of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any Order revoking or re-enacting that Order) the express approval of North Ayrshire Council as Planning Authority shall be required in respect of any development including the erection, extension, rearrangement or alteration at the site of fixed plant or machinery, buildings, structures, or private ways.

9. That, a road condition survey in conjunction with a North Ayrshire Council Roads Inspector shall be carried out prior to the work commencing on site and after the work is completed. The development shall be completed in strict accordance with the approved Traffic and Access Statement to the satisfaction of North Ayrshire Council as Planning Authority.
10. That, the proposed passing places to be provided along the U36 Inner Circle Road, shall be constructed as permanent fixtures, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority. For the avoidance of doubt, the passing places shall be formed prior to the commencement of the solar farm development.
11. That, no HGV vehicles shall access the solar farm site during the peak tourist season (June, July and August), unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.

5. Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: 115 Bank Street, Irvine KA12 0PT

Submitted report by the Executive Director (Economy & Communities) seeking authority to serve a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to a planning permission (ref: 13/00083/PP), in respect of 115 Bank Street, Irvine.

On the 23 March 2016, the Planning Committee determined to continue consideration of a report relating to non-compliance with a planning condition at 115 Bank Street, Irvine KA12 0PT. The property is operated as a vehicle repair garage. Condition 3 of planning permission dated 17 June 2003 (ref: 03/00083/PP) and the non-compliance relates to operating outwith the permitted hours of 8.00am and 6.00pm Monday to Saturday and 10.00am and 6.00pm on Sundays. Consideration of the report was continued in order to allow the operator of the garage the opportunity to apply for planning permission to vary the hours of operation.

The operator has been advised by Planning of the need to comply with the permission and the right to apply to vary the permitted hours. The Council's Business Support Team has also contacted the operator and provided the necessary forms and guidance. However, to date an application has not been received.

In the interests of the amenity of the area, it was proposed to issue a Breach of Condition Notice requiring the following in respect of planning permission dated 17 June 2003 (ref: 03/00083/PP): (i) Operate the garage business only within the following hours; 08.00 to 18.00 Monday to Saturday and 10.00 to 18.00 Sundays as required by Condition 3. It was proposed that the compliance period be within 6 weeks from the date of issue of the Notice.

The Committee agreed, in the interest of protecting the amenity of the area, to (a) grant authority for the service of a Notice Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to planning permission 03/00083/PP; and (b) that the Breach of Condition Notice require compliance within the statutory minimum period of 28 days and would be served with immediate effect.

6. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: 40 Ritchie Street, West Kilbride KA23 9HF

Submitted report by the Executive Director (Economy & Communities) seeking authority to serve a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 requiring proper maintenance of land for the abatement of the adverse impact on the local area.

The Council has received several complaints regarding the site. An inspection of the land in January 2016, revealed that refuse had been dumped on site. The owner of the land was requested in writing to clear the site and confirm intentions for the site. The owner contacted the Council to confirm that the site would be cleared by the week beginning 7 March 2016. This work was not done and further dumping appears to have been carried out. Environmental Health is investigating as to whether or not the dumping has caused an infestation of vermin. The owner has been advised that the Council is now considering formal enforcement action requiring clearance of the site. To date no response has been received.

It is considered that the owner has been given adequate opportunity to alleviate the harm caused by the condition of the land. The required works have not been undertaken and the condition of the land continues to cause harm to local amenity.

The Committee agreed to approve the serving of a Notice under Section 179 of the Town and Country planning (Scotland) Act 1997 requiring the removal of all refuse from the alleyway to the east of the buildings.

7. New North Ayrshire Shopfront Design Guidance

Submitted report by the Executive Director (Economy & Communities) on the draft North Ayrshire Shopfront Design Guidance, which was appended at Appendix 1 to the report. The purpose of the draft guidance is to highlight principles of good shopfront design and to assist and encourage applicants to sympathetically restore, change or build new shopfronts. The guidance addresses key issues from choosing appropriate finishing materials and signage to appropriate security measures. The draft guidance consolidates the Council's position on shopfront design, replacing three separate guidance documents with one.

The Committee agreed to (a) adopt the North Ayrshire Shopfront Design Guidance as planning guidance; and (b) delegate authority to the Executive Director (Economy and Communities) to make non-significant editorial changes to the guidance from time to time.

8. Revocation Order to Millport No. 1 Tree Preservation Order at Howard St/Church Hill, Millport

Submitted report by the Executive Director (Economy and Communities) on the proposed revocation of Millport No. 1 Tree Preservation Order (TPO) for trees at Howard Street/Church Hill, Millport.

Following receipt of two tree work applications at 16 and 18 Bute Terrace, the Council's Arboricultural Officer (Place) reported on the poor and deteriorating condition of trees in the locality. Most of the trees, covered by the group TPO, were in poor condition as a direct result of past poor pruning works and as a result exhibit weakly attached regrowth, which is typical of a type of heavy crown reduction. All of the trees are within the Millport Conservation Area and therefore receive a degree of statutory protection. It is considered that the current poor and continuing deterioration of the trees has a negative impact on the local amenity, and therefore the TPO is no longer merited in terms of amenity.

The Committee agreed to authorise the serving of a Revocation Order for the Millport No. 1 Tree Preservation Order at Howard St/Church Hill, Millport on the owners of the site.

The meeting ended at 3.00 p.m.

Local Review Body
27 April 2016

Irvine, 27 April 2016 - At a Meeting of the Local Review Body of North Ayrshire Council at

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, John Bruce, Ian Clarkson, Ronnie McNicol, Tom Marshall and Robert Steel.

In Attendance

R. Middleton, Planning Adviser to the Local Review Body and A. Craig, Planning Adviser to the Local Review Body; and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Brown 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 Committee held on 2 March 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review: N/00692/PPP: Cunningham, Baidland Farm, Dalry

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers for the erection of a single dwelling within a cluster of dwellings north of Cunningham, Baidland Farm, Dalry.

The Notice of Review documentation, the Planning Officer's Report of Handling, a location plan and a copy of the Decision Notice, were provided as appendices to the report.

The Legal Adviser to the Local Review Body advised of the appropriate procedure for consideration of the review request. Thereafter, the Planning Adviser to the Local Review Body introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant.

The Local Review Body agreed that it had sufficient information before it to determine the matter without further procedure. The Planning Adviser thereafter summarised the Notice of Review for the Applicant, The Report of Handling of the Appointed Officer and the representations lodged.

Having considered all of the information, the Local Review Body agreed (a) to uphold the decision to refuse planning permission on the grounds that:-

1. The proposed development would be contrary to the provisions of Policy ENV2 in the adopted North Ayrshire Local Development Plan on the grounds that the number of dwellings existing in the group as of 1 January 2005 was below the required minimum of 4, and the details of the proposed development have not been submitted, as required in terms of Policy ENV2.
2. That the proposal would be contrary to the provisions of the General Policy contained in the adopted North Ayrshire Local Development Plan on the grounds that, by reason of its position to the rear of existing housing, the application site is not considered to represent a location where a sympathetic addition could be accommodated without harming the setting and character of the existing grouping, all to the detriment of the amenity of the area.

and (b) that the Decision Notice be drafted by Officers, agreed by the Chair and, thereafter, signed by the Proper Officer for issue to the applicant.

4. Notice of Review: N/15/00671/PP 67 Stoopshill Crescent, Dalry

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers for the formation of stairs to the rear of a semi-detached dwelling house at 67 Stoopshill Crescent, Dalry.

The Notice of Review documentation, the Planning Officer's Report of Handling, a location plan and a copy of the Decision Notice, were provided as appendices to the report.

The Legal Adviser to the Local Review Body advised of the appropriate procedure for consideration of the review request. It was also confirmed to the Members of the Local Review Body that the Applicants were unable to be in attendance at the meeting. Thereafter, the Planning Adviser to the Local Review Body introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant.

The Local Review Body agreed that it had sufficient information before it to determine the matter without further procedure. The Planning Adviser thereafter summarised the Notice of Review for the Applicant, the Report of Handling of the Appointed Officer and the representations lodged.

Having considered all of the information, the Local Review Body agreed (a) to uphold the decision to refuse planning permission on the grounds that:-

1. That the proposed development would be contrary to criterion (b) of the General Policy in the adopted North Ayrshire Local Development Plan in that the height and proximity of the development to a neighbouring property would adversely affect the residential amenity of the occupiers of that property, through adverse privacy impacts.

and (b) that the Decision Notice be drafted by Officers, agreed by the Chair and, thereafter, signed by the Proper Officer for issue to the applicant.

The Meeting ended at 3.30 p.m.

Education Appeal Committee
28 April 2016

IRVINE, 28 April 2016 - At a Meeting of the Education Appeal Committee at 2.45 p.m.

Present

Ian Clarkson (North Ayrshire Council); and V. Gibson and J. Smith (lay members).

In Attendance

P. Gosnay, Senior Manager, T. Stewart, Head Teacher (Irvine Royal Academy) and J. Little, Depute Head Leader (Irvine Royal Academy) (Education and Youth Employment); N. Shearer, Team Manager (Contracts and Licensing) and K. Sharkey, Clerk to the Education Appeal Committee) (Chief Executive's Service).

Also In Attendance

Appellant and his wife.

Chair

Councillor Clarkson 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 previous meeting held on 20 October 2015 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Appointment of Chairperson

Councillor Clarkson was appointed to chair this meeting of the Education Appeal Committee.

4. Conduct of the Meeting

The Clerk briefed the Committee on the conduct of the meeting.

Noted.

5. Exclusion of the Public and Press

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 that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 7A of the Act.

6. Appeals Against the Education Authority's Decision to Exclude a Pupil from Irvine Royal Academy

6.1 Appellant 1 in respect of Child 1

Submitted report by the Chief Executive on an appeal against the Education Authority's decision to exclude a pupil from Irvine Royal Academy on 22 February 2016 for a period of one day.

The appellant, having been invited to attend, was present and accompanied by his wife. The Senior Manager (Education and Youth Employment), Head Teacher and Depute Head Teacher of Irvine Royal Academy were also in attendance.

Those present were introduced and their role in the proceedings explained. The Chair then outlined the procedures to be followed by the Committee and advised on how the decision of the Committee would be intimated to the appellant and the Education Authority, before inviting the Education and Youth Employment representatives to make their case. The appellant and Committee Members were afforded the opportunity to question the Education and Youth Employment representatives.

The appellant was then invited to present his case and, in so doing, referred to written notes. The Education and Youth Employment representatives requested a copy of the Appellant's written notes and an opportunity to consider them. The Chair agreed to this request.

The Committee adjourned at 3.10 p.m. to allow a copy of the Appellant's written note of his verbal submission to be made and considered by the Education and Youth Employment representatives, reconvening at 3.35 p.m. with the same Members, officers and parties present and in attendance.

The Education and Youth Employment representatives then had the opportunity to question the appellant.

Thereafter, the Education and Youth Employment representatives and the appellant summed up their cases, before withdrawing to allow the Committee to deliberate.

Decision

The Committee agreed (a) to annul the decision to exclude the pupil from Irvine Royal Academy on 22 February 2016 for a period of one day, on the grounds that the decision to exclude was not proportionate in light of the pupil's conduct; and (b) that the Clerk notify both parties of the reasons for the Committee's decision within fourteen days.

The Meeting ended at 4.10 p.m.

Appeals Committee
29 April 2016

IRVINE, 29 April 2016 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Alan Munro, Alex Gallagher and Grace McLean.

In Attendance

C. Andrew, Senior Manager Legal Services (Chief Executive's Service) and A. Young, HR Operations Manager (Finance and Corporate Support).

Also In Attendance

C. Amos, Head of Service (Inclusion) (Education and Youth Employment); C. Devoy, HR Adviser (Finance and Corporate Support); and Appellant and her representative.

Chair

Councillor Munro 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 Committee held on 29 January 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

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.

4. Disciplinary Procedure: Appeal Against Dismissal

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within Education and Youth Employment. CCTV footage relating to the case was also viewed at the meeting.

The Service Representative presented the grounds for dismissal as previously advised to the appellant in writing. The appellant, and her representative, were given the opportunity to respond to the issues raised and to ask questions of the Service Representative. Members of the Committee were also given the opportunity to ask questions.

Thereafter the appellant and her representative presented the grounds of appeal. The Service Representative was given the opportunity to respond to the issues raised and to ask questions of the appellant and her representative. Members of the Committee were also given the opportunity to ask questions of the appellant and her representative.

After summing up their respective cases, the Service Representative, together with the appellant and her representative, withdrew from the hearing to allow the Committee to deliberate.

The Committee agreed (a) that the grounds of appeal had been partly substantiated and the appeal should be upheld, subject to the appellant (i) receiving a final written warning and (ii) being transferred; and (b) that the appellant be so advised within 14 days.

The Meeting ended at 2.15 p.m.

Cabinet
10 May 2016

Irvine, 10 May 2016 - At a Special Meeting of Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, Alan Hill, John Bruce, Marie Burns, Anthea Dickson and Tony Gurney.

Also Present

E. Murray, Chief Executive; L. Friel, Executive Director (Finance and Corporate Support); C. Hatton, Executive Director, Y. Baulk, Head of Physical Environment and Y. Holland, Project Manager (Place); K. Yeomans, Executive Director, C. McAuley, Head of Service (Economic Growth), M. Strachan, Senior Business Manager and A. Laurenson, Team Manager (Regeneration) (Economy and Communities); I. Colvin, Director (North Ayrshire Health and Social Care Partnership); A. Fraser, Head of Democratic Services, J. Hutcheson, Communications Officer and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Ruth Maguire.

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. Largs Campus DBFM Contract

Submitted report by the Executive Director (Place) which provided details of (a) the development of the proposals for an educational campus adjacent to the Inverclyde National Sports Centre in Largs; (b) the statutory consultation and planning process that has been undertaken; (c) the partial funding via the Scottish Futures Trust (SFT) Schools for the Future Programme; (d) the delivery of the project via Hub South West (HubSW); and (e) the operation and maintenance of the campus that will be progressed via a separate company (DBFM Co) with the Council as a 10% equity stakeholder.

Members asked questions and were provided with further information in relation to a further contribution from the Scottish Government of £½ m towards the project.

That Cabinet, subject to an acceptable offer being received from Hub South West Scotland Limited ("HubSW"/"hubco") which meets the Council's and the SFT's requirements of cost, programme and quality, agreed to (a) enter into the DBFM contract required to progress the Development; (b) the documents required to progress that contract (the "Project Documents" as defined in Appendix 1 to the report) and to perform the contractual obligations in terms of the finalised Project Documents; (c) delegate authority to the Head of Physical Environment to complete the financial close process, negotiate and finalise the terms of the Project Documents and commit the Council to the execution of the Project Documents for the Development; (d) delegate authority to the Head of Democratic Services or any other Proper Officer duly appointed by the Council, to execute the Project Documents; and (e) note that the DBFM agreement and the Funder's Direct Agreement are certified contracts within the meaning of Section 2 of the Local Government (Contracts) Act 1997 (the "1997 Act") and shall meet the certification requirements within section 3 of the 1997 Act and authorise a Proper Officer to execute and issue the certificate in terms of the 1997 Act.

3. North Ayrshire Social Enterprise Strategy 2016 – 19

Submitted report by the Executive Director (Economy and Communities) which set out (a) the newly developed 3 year Social Enterprise Strategy for North Ayrshire (Appendix 1); and (b) proposals for the expenditure over the next 3 years, totalling £242k, from the Social Business Development Fund

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

- the ambitious but realistic 3 year targets that were projected utilising the baseline established by the Scottish Enterprise in Scotland Census for 2015 for North Ayrshire and agreed by the group involved in setting the strategy; and
- the 3 year costs for two full time Social Enterprise Support Model staff.

The Cabinet agreed to (a) approve the Social Enterprise Strategy 2016-19; (b) approve the proposed expenditure of £242,000 as set out in the Partnership Resource Plan; and (c) conditional on NAVT approving a grant for social enterprises, that the £258k balance of the budget would be used to support early stage growth business support activity.

4. Scottish Open Golf 2017

Submitted report by the Executive Director (Economy and Communities) on (a) the support that has been provided to Loch Lomond Golf Club in their bid to host the Scottish Open at Dundonald Links 2017; and (b) further improvements required to the course, its entrance and access to the clubhouse that necessitated urgent approval by the Chief Executive for additional investment of £75,000.

Members asked questions and were provided with further information in relation to Voisins, France who are twinned with Irvine and have experience of hosting golfing events.

The Cabinet agreed to homologate the decision of the Chief Executive in respect of the provision of an additional investment of £75,000 to support the upgrading of Dundonald Links golf course and associated facilities to a standard suitable to host the Scottish Open.

5. Business Support

Submitted report by the Executive Director (Economy and Communities) on (a) the impact and outcomes being achieved through the Council's business support activities; (b) details of a review undertaken on the support offer for businesses since the launch of the Team North Ayrshire (TNA) and further developments required (Appendix 1); and (c) the proposed realignment of grant provision to give focus on International, Innovation, Early Stage Growth activities (Appendix 2).

The Cabinet agreed to (a) note the update provided on business support services; (b) approve the development of new services to support innovation, internationalisation and early stage growth activities, as outlined in Appendix 2 to the report.

6. Quarry Road - Outcome of RCGF Bid and Proposed Development

Submitted report by the Executive Director (Economy and Communities) on (a) the award of funding from the Scottish Government towards the Quarry Road development; (b) the proposed approach to phasing of the development and the area of land within the Common Good proposed for transfer (Appendix 1); and (c) a Supporting Statement and Outline Masterplan (Appendix 2)

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

- the funding commitments and allocations for the development;
- the 3 phases of the development that are not interdependent and were illustrated in Appendix 1 to the report;
- the differing circumstances when assets from a Common Good Fund can be transferred for a nominal sum to the Council and when the value of the asset, as determined by the District Valuer, is paid to the Common Good Fund; and
- discussions that will take place on the best location for a 3G pitch in North Ayrshire.

The Cabinet agreed to (a) note the outcome of the funding award from the Scottish Government; (b) the submission of a planning application for the development; (c) the publication of tender packages for works to deliver a first phase (offices, parking and access); (d) that further development proposals for phase 2, including a report to a future meeting of Cabinet on proposals and funding bids for phase 2 of the development; and (e) the transfer of land within the proposed development site from the Irvine Common Good account to the Council's General Fund Balance Sheet.

7. Exclusion of the Public

The Cabinet 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 items of business on the grounds indicated in terms of Paragraph 9 of Part 1 of Schedule 7A of the Act.

7.1 Purchase of Red Cross House, Irvine

Submitted report by the Director (North Ayrshire Health and Social Care Partnership) on the proposal to (a) purchase Red Cross House, Irvine in a partnership arrangement with NHS; and (b) develop the site as a community based rehabilitation resource for people with a range of needs.

It was noted that a business case in respect of the future operation and funding of the site would be brought to Cabinet.

The Cabinet agreed to (a) the purchase of Red Cross House, Irvine and; (b) grant authority to the Chief Executive in consultation with the Chief Officer of the Integration Joint Board to agree the terms of a Partnership Agreement with the NHS and the Council in respect of the funding of the purchase and the funding of the services operated therein.

The meeting ended at 3.50 p.m.

Appeals Committee
13 May 2016

IRVINE, 13 May 2016 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Alan Munro, Alex Gallagher and Grace McLean.

In Attendance

A. Craig, Team Manager (Litigation)(Chief Executive's Service) and A. Young, HR Operations Manager (Finance and Corporate Support).

Also In Attendance

Y. Baulk, Head of Physical Environment (Place); and C. Devoy, HR Adviser (Finance and Corporate Support).

Chair

Councillor Munro 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 Committee held on 29 April 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

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.

4. Disciplinary Procedure: Appeal Against Dismissal

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within Place.

The appellant, having been invited to attend, was not present.

The Committee agreed (a) to adjourn the proceedings and to reconvene at a later date to afford the appellant a further opportunity to appear to present his case; and (b) that the appellant be advised that failure to attend that meeting will result in the Committee considering the appeal 'in absentia'.

The meeting ended at 10.45 a.m.

Police and Fire and Rescue Committee
16 May 2016

IRVINE, 16 May 2016 - At a Meeting of the Police and Fire and Rescue Committee of North Ayrshire Council at 2.00 p.m.

Present

Marie Burns, Catherine McMillan, John Bell and Irene Oldfather.

In Attendance

A. Fraser, Head of Democratic Services and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Also In Attendance

Chief Superintendent G. MacDonald, Chief Inspector T. Ross and Chief Inspector B. Shaw (Police Scotland); and J. Scott, Local Senior Officer and M. Meechen, Station Commander (Dreghorn) (Scottish Fire and Rescue Service).

Chair

Councillor Burns in the Chair.

Apologies for Absence

Ruth Maguire and Peter McNamara.

1. Chair's Remarks

The Chair, in terms of Standing Order 9.3, agreed to vary the order of business to allow consideration the Managing Automatic Fire Signals presentation (Agenda Item 3.1) as part of Agenda Item 4.1 (Performance Report: Scottish Fire and Rescue Service).

2. 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.

3. Minutes

The accuracy of the Minutes of the meeting of the Committee held on 8 February 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Matter Arising

4.1 Review of Local Police Plan

Submitted report by Police Scotland on the review of the Local Police Plan on the outcome of the annual review of the Local Police Plan.

The review identified that, whilst some administrative amendments would be required to reflect the adoption of the Locality approach in North Ayrshire and some changes in personnel, the priorities within the current plan do not require to be changed at present.

Members asked questions, and received further information, on the following:-

- the appropriateness of the category 'youths causing annoyance' and the scope for using alternative language in respect of this data; and
- the reporting of wildlife crimes.

The Committee agreed to note (i) the content of the report and (ii) that the Chief Superintendent would seek to establish whether an alternative descriptor might be applied to the category 'youths causing annoyance'.

5. Performance Reports

5.1 Scottish Fire and Rescue Service

Submitted report by the Scottish Fire and Rescue Service on progress against North Ayrshire's Local Fire and Rescue Plan 2014/17 and which provided other key Fire and Rescue updates. A copy of the North Ayrshire Performance Report from 1 April 2015 to 31 March 2016 was set out at Appendix 1 to the report.

Section 2.1 of the report provided an analysis of operational activity for the period 1 April 2015 to 31 March 2016, which identified a 10% increase in activity levels across the local authority area compared with the same period last year. Performance during year showed that one indicator achieved its reduction target, four did not achieve their respective targets as a result of increased activity, and one did see a reduction in activity but did not achieve the target set.

The report also provided updates in respect of an audit report in May 2015, the Fire and Rescue Service Resource Budget for 2016/17 (set at £259.221m), the Capital Departmental Expenditure Limited (DEL) funding of £10.800m for 2016/17, and anticipated capital received from the sale of surplus property.

Members asked questions, and received further information, on the following:-

- the circumstances surrounding the Fire and Rescue Service assisting other emergency services with gaining entry to properties; and
- whether Fire and Rescue Service officers might be required to provide first aid in instances where they are first to arrive on the scene;

The Committee agreed (a) to note the content of the report; and (b) that a report on progress in terms of implementation of the 'Positive Steps' initiative be submitted to a future meeting of the Committee.

5.2 Managing Automatic Fire Signals

The Committee received a presentation by the Local Senior Officer (Scottish Fire and Rescue Service) on Managing Automatic Fire Signals. This matter arose from the Committee's consideration of the Scottish Fire and Rescue Service Performance Report on 8 February 2016.

The presentation highlighting the following:-

- the definition of unwanted fire alarm signals (UFAS) and their frequency;
- the impact of UFAS on the Fire and Rescue Service, local businesses and the community; and
- the Action Plan for addressing UFAS.

Members asked questions, and received further information, on the circumstances surrounding UFAS in schools and measures to address this issue.

Noted.

5.3 Police Scotland

Submitted report by Police Scotland on performance in relation to the North Ayrshire Local Police Plan for the period 1 April 2015 to 31 March 2016. Appendix 1 to the report provided detailed information on performance against the Plan's priorities and associated objectives, and gave information on complaints against the Police. Section 3 of the report provided confirmation that Police Scotland has introduced, on a six-month pilot basis, a revised Community Policing model in North Ayrshire, to complement and support the adoption of a Locality approach.

Members asked questions, and received further information, on the following:-

- the figures relating to the number of persons seriously injured on our roads, which had been transposed in error within the report;
- the categorisation of complaints against the Police and the level of detail provided in terms of the circumstances surrounding such complaints;
- whether the figures associated within complaints against Police were higher in Ayrshire than elsewhere;
- the availability of further information on the timescales for handling complaints against the Police.

The Committee agreed (a) that the Chief Superintendent (i) liaise with Police Scotland's Head of Professional Standards to establish whether further detail might be provided on the Ayrshire figures for complaints against the Police, to allow the Committee to scrutinise this area more thoroughly and (ii) include in future performance reports on complaints more narrative to accompany the figures provided; (b) that the Head of Democratic Services include within his response to the Scottish Police Authority's letter on the annual report of policing, reference to the need for sufficient detailed information on complaints to allow the Committee to fulfil its scrutiny role; and (c) otherwise, to note the content of the report.

6. Policing Issues Update

Submitted report by Police Scotland on local and national policing matters outwith the Local Policing Plan progress update, namely the Innkeeper National Licensing System, planning for the Open Golf, a revised process for Death Investigations, Governance in Policing, the Annual Review of Policing, Stop/Search Public Consultation, the National Speeding campaign, the National Doorstep Crime campaign (Operation Monarda) and the HOPE Project.

A copy of a letter dated 14 April 2016 from the Scottish Police Authority on the annual review of policing, was also circulated at the meeting. The Head of Democratic Services summarised some of the matters which might be included within the Committee's response.

Members asked questions, and received further information, on the following:-

- the suggested inclusion within the response to the Scottish Policy Authority's annual review of policing, of a comment about the need for an alternative descriptor for 'youths causing annoyance'; and
- stop and search practice in relation to children and young people and alcohol (referred to at Section 7.1 of the report).

The Committee agreed (a) that it be remitted to the Head of Democratic Services to respond on behalf of the Committee to the Scottish Police Authority's invitation to contribute to the annual review of policing; and (b) otherwise, to note the content of the report.

Councillor Bell left the meeting during consideration of this item.

7. Consultation Papers

7.1 Fire and Rescue Framework for Scotland 2016

Submitted consultation document in respect of the Fire and Rescue Framework for Scotland 2016, responses in respect of which are due on 16 June 2016.

The Committee agreed, given its support for the strategic priorities identified at Annex A of the consultation document and the opportunity for consultation on other key strategic documents, not to submit a consultation response on this occasion.

8. Discussion Items

The Committee was invited to consider the undernoted discussion items, suggested by Scottish Fire and Rescue Service.

8.1 Scottish Fire and Rescue Service Strategic Plan 2016-19

The Local Senior Officer (Scottish Fire and Rescue Service) advised of the consultation arrangements associated with the Scottish Fire and Rescue Service Strategic Plan 2016-19.

The Committee agreed that it be remitted to the Head of Democratic Services, in consultation with Members of the Committee, to respond on behalf of the Committee when the consultation on the Strategic Plan opened.

8.2 North Ayrshire Local Fire and Rescue Plan Development

The Committee agreed to continue consideration of the North Ayrshire Local Fire and Rescue Plan Development to its next meeting.

The Meeting ended at 3.40 p.m.

Staffing and Recruitment Committee
18 May 2016

Irvine, 18 May 2016 - At a Meeting of the Staffing and Recruitment Committee of North Ayrshire Council at 10.00 a.m.

Present

Willie Gibson, Marie Burns and Alex Gallagher.

In Attendance

E. Murray, Chief Executive; L. Friel, Executive Director; M. Hogg, Head of Finance and A. Young, HR Operations Manager (Customer, People & Corporate Support) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

John Bell, Peter McNamara, Ruth Maguire (relevant Cabinet Member) and Alan Munro (substitute for Peter McNamara).

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 previous meetings of the Committee held on 17 December 2015 was agreed and the Minutes signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

2.1 Matters Arising

At its meeting on 17 December 2015, the Staffing and Recruitment Committee agreed (a) the revised remit for the Head of Finance to the Council, which includes the role of s95 officer for the Integration Joint Board; and (b) to recommend to Council that the recruitment of this post is undertaken by a joint appointment panel comprising the Leader of the Council, Leader of the Opposition, Finance and Corporate Support portfolio holder, and the Chair and Vice Chair of the Integration Joint Board.

At its meeting on 17 February 2016, the Council agreed to approve the recommendation contained within the Minute of the Staffing and Recruitment Committee meeting of 17 December 2015, as outlined at (b) above.

The Committee was advised that the Joint Appointment Panel had appointed Margaret Hogg to the post of Head of Finance to the Council, which includes the role

of s95 officer for the Integration Joint Board.

Noted.

3. Reshaping the Workforce Update 2013/14

Submitted report by the Executive Director (Finance and Corporate Support) on the progress made in 'Reshaping the Workforce' arising from the Council's budget commitments for 2015/16.

Members asked questions and were provided with further information in relation to the early delivery of future year savings in respect of Education Business Support.

The Committee noted the progress made to date in relation to 'Reshaping the Workforce' arising from the Council's budget commitments for 2015/16.

The meeting ended at 11.50 a.m.

Scrutiny and Petitions Committee
18 May 2016

IRVINE, 18 May 2016 - At a Meeting of the Scrutiny and Petitions Committee of North Ayrshire Council at 2.00 p.m.

Present

John Hunter, Robert Barr, Matthew Brown, Alex Gallagher, Grace McLean and Catherine McMillan.

In Attendance

E. Murray, Chief Executive; L. Friel, Executive Director (Finance and Corporate Support); K. Yeomans, Executive Director (Economy and Communities); R. McCutcheon, Head of Service (Commercial Services) (Place); S. Quinn, Head of Service (Schools) (Education and Youth Employment); and A. Fraser, Head of Democratic Services, L. Cameron, Policy and Performance Officer and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Chair

Councillor Hunter in the Chair.

Apologies for Absence

Alan Munro.

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 ordinary meeting of the Committee held on 9 March 2016 will be confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

Noted.

3. Directorate Plans 2016/17 Update

Submitted report by the Chief Executive on the Council's 2016 update on the 2015/18 Directorate Plans. Appendices 1-5 set out the Directorate Plan for Democratic Services, Finance and Corporate Support, Education and Youth Employment, Economy and Communities, and Place, respectively. The 2015/18 Strategic Plan for the Health and Social Care Partnership, which was approved on 2 April 2015, is currently being refreshed prior to publication in summer 2016.

In introducing the report, the Chief Executive also advised of a Member Seminar on the subject of performance planned for the end of June 2016.

Members asked questions, and received further information, on the following:-

Democratic Services

- fees from taxi and private hire care operator and driver licences
- work to prepare for next year's local government elections and new Administration

The Head of Democratic Support also undertook to provide Members with confirmation of the number of full time equivalent staff across his Service.

Finance and Corporate Support

- factors affecting the time taken to administer Housing Benefit payments, Council Tax reductions and overpayments

Education and Youth Employment

- the circumstances surrounding the £1m investment in teachers' pensions and its funding mechanism
- plans to merge Additional Support Needs (ASN) educational provision via the construction of a new ASN school
- target setting in relation to SCQF Level 5 in Numeracy

The Head of Service (Schools) also undertook to provide Members with further information on the current attainment targets and the transition from previous attainment measures.

Economy and Communities

- work in respect of the Council Plan priority of growing our economy, increasing employment and regenerating towns
- funding levels from the European Social Fund
- whether town centre regeneration work would cover the whole of North Ayrshire
- arrangements for the distribution of community funds arising from Landfill Tax

The Executive Director (Economy and Communities) also undertook to provide Members with a briefing note on the arrangements associated with the distribution funding from the Scottish Landfill Communities Fund.

Place

- Waste services costs
- the Central Establishment Cost element of school meal costs.

The Head of Service (Commercial Services) also undertook to provide Members with a breakdown of the costs associated with Waste services;

The Committee agreed to (a) note the 2016 updates of the 2015/18 Directorate Plans as approved by the Cabinet on 26 April 2016; and (b) receive 6-monthly progress reports.

The meeting ended at 2.45 p.m.

**North Ayrshire Health and Social Care Partnership
Minute of Integration Joint Board meeting held on
Thursday 19 May 2016
at 10.00 a.m., Council Chambers, Cunninghame House, Irvine**

Present

Councillor Anthea Dickson, (Chair)
Stephen McKenzie, NHS Ayrshire & Arran (Vice Chair)
Bob Martin, NHS Ayrshire & Arran
Dr Janet McKay, NHS Ayrshire & Arran
Dr Carol Davidson, NHS Ayrshire & Arran
Councillor Robert Steel, North Ayrshire Council

Iona Colvin, Director North Ayrshire Health and Social Care (NAHSCP)
Margaret Hogg, Chief Finance Officer
Stephen Brown, Chief Social Work Officer – North Ayrshire
Derek Barron, Lead Nurse/Mental Health Advisor
Louise Gibson, Lead Allied, Health Professional Adviser
Dr. Paul Kerr, Clinical Director
Dr. Kes Khaliq, GP Representative
Nigel Wanless, Independent Sector Representative
David Donaghy, Staff Representative – NHS Ayrshire and Arran
Louise McDaid, Staff Representative – North Ayrshire Council
Fiona Thomson, Service User Representative
Jim Nichols, Third Sector Representative
Marie McWaters, Carers Representative
Sally Powell, Carers Representative

In Attendance

Elma Murray, Chief Executive (Item 5)
Thelma Bowers, Head of Mental Health
Jo Gibson, Principal Manager (Planning & Performance)
David Rowland, Head of Health & Community Care
Alan Stout, Integrated Island Services
Ruth Betley, Arran Medical Group
Dr Hamill, Arran Medical Group
Elaine Young, Public Health Department
Lynne Niven, Public Health Department
Karen Andrews, Business Support Officer
Angela Little, Committee Services Officer

Apologies for Absence

Councillor Ruth Maguire, North Ayrshire Council
Martin Hunter, Service User Representative

1.	Chair's Remarks The Chair referred to the recent death of Martin Hunter's wife, and on behalf of the Board, extended her condolences to the family.	
2.	Apologies Apologies were noted.	
3.	Declarations of Interest There were no declarations of interested in terms of Standing Order 7.2 and Section 5.14 of the Code of Conduct for Members of Devolved Public Bodies.	
4.	Minutes/Action Note – 10 December 2015 The accuracy of the Minutes of the meeting held on 11 February 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.	
4.1	Matters Arising The Board noted that a presentation on the GP Strategy will be made to the next meeting.	
5.	Update: Locality Approach The Chief Executive (North Ayrshire Council) provided a verbal update on the Locality Approach <ul style="list-style-type: none"> • Background to the Council's Locality Partnerships which are aligned to the same areas as the NAHSCP; • The appointment of Elected Members as Chairs of the 6 Locality Partnership Forums (two of which are IJB members); • Membership of the CPP Board that will now include the Chairs of the Locality Partnership Forums and consideration that will be given to membership of the Chair and Vice Chair of the IJB • Six senior lead officers put in place to support the Locality Partnerships; 	

	<ul style="list-style-type: none"> • Locality Partnership events that have been arranged in each of the 6 areas; • Participatory Budgeting events that will be piloted in each of the 6 localities, one having already taken place in Kilwinning; and • Place Standard Toolkit that will be circulated to IJB members. <p>Noted.</p>	
6.	<p>6. Arran Services Review</p> <p>Submitted report by Alan Stout, Senior Manager (Integrated Island Services) and presentation on the outcome of the Arran Review of Services that was undertaken by a multi-agency, multi-disciplinary group through engagement with members of the public and staff through a review and assessment process. (Presented by Alan Stout, Ruth Betley and Dr Hamill).</p> <p>The report and presentation provided details of:-</p> <ul style="list-style-type: none"> • the stakeholder engagement that had taken place; • support services and facilities; • workforce; • emerging model of care; • challenges and drivers for change; • test of change; • next steps <p>The Board was advised of some inaccuracies in the report, as detailed below: _</p> <p>Paragraph 10.1 should read as follows:-</p> <p>In order to achieve such an ambitious whole system change it is acknowledged that there will need to be continued support from the Clinical Lead and the Project Manager roles. Both are currently provided by Arran Medical Group and reimbursed through the Change Team. Consideration will need to be given to the level and funding of this support as the review proceeds to implementation.</p> <p>Appendix 3 should conclude after the first sentence of paragraph 6 - removing the subsequent sentence and the table.</p>	

	<p>Members asked questions and were provided with further information in relation to:-</p> <ul style="list-style-type: none"> • the aspiration to harmonise the terms and conditions for Health and Council staff; • engagement with staff that had been undertaken by the Team Leaders and will form part of the Staff Partnership Forum agenda; • the current service provision on Arran which is complex and confusing to service users; • work by the Change Programme to identify and record the wide range of services on Arran. <p>The Board noted (a) the detailed planning required to deliver a fully integrated hub; and (b) the changes to the report.</p>	
7.	<p>Fair for All: Community Planning Partnership Inequalities Strategy</p> <p>Submitted report by Jo Gibson, Principal Manager (Planning and Performance) and presentation by Elaine Young, Public Health Department on a draft strategy to reduce inequalities in North Ayrshire.</p> <p>The report and presentation provided information in relation to:-</p> <ul style="list-style-type: none"> • The key findings of the Steering Group; • A number of engagement events that have taken place; • The challenges in North Ayrshire; • Inequality in income and death; • Inequalities – the national response; • North Ayrshire local response; • Fair for All; • Inequalities – theory of causation • Responding to inequalities; • Inequalities interventions – Undo, Prevent and Mitigate; • Key shared themes • Reducing inequalities action plan; • Tackling inequalities action plan • Current state; • Delivering a North Ayrshire – Fair for All proposal 	

	<p>Members asked questions and were provided with further information in relation to:-</p> <ul style="list-style-type: none"> • Prevention and Mitigation work that will always be required as a result of being unable to Undo; • The proposed structure that would create a Fair for All Board that would report to the Community Planning Partnership; • A Refresh of the Strategic Plan that will focus on service developments and link to the Equality Strategy; and • The availability of Impact Assessment Tools. <p>The Board agreed to approve the Inequalities Strategy Fair For All.</p>	Jo Gibson
8.	<p>Appointment of Chief Finance Officer</p> <p>Submitted report by Andrew Fraser, Head of Democratic Services on the requirement of the IJB to appoint a Chief Finance Officer who has responsibility for the administration of its financial affairs in terms of s.95 of the 1973 Act (presented by I. Colvin).</p> <p>The Chief Finance Officer is accountable to the IJB for the planning, development and delivery of the IJB's financial strategy and is responsible for the provision of strategic financial advice and support and the financial administration and financial governance of the IJB.</p> <p>The Board agreed to appoint Margaret Hogg, an employee of North Ayrshire Council, as the Chief Finance officer of the Integration Joint Board.</p>	A. Fraser
9.	<p>Appointment of Standards Officer</p> <p>Submitted report by Andrew Fraser, Head of Democratic Services on the requirement of the Ethical Standards in Public Life (Scotland) Act 2000 (Register of Interests) Regulations 2003 the IJB to appoint a Standards Officer (presented by I. Colvin).</p> <p>The report provided information on the duties of the Standards Officer and a Code of Conduct developed by the Standards Commission to be adopted by IJBs.</p>	

	The Board agreed to (a) approve the appointment of Andrew Fraser, Head of Democratic Services (North Ayrshire Council) as the IJB's Standards Officer; and (b) to adopt the Standards Commission Code of Conduct.	A. Fraser/ K. Andrews
10.	<p>Concerns Hub Update</p> <p>Submitted report by Mark Inglis, Senior Manager Intervention on the proposed arrangements to establish a Concerns Hub in Kilmarnock Police Station (presented by Elaine Young, Assistant Director of Public Health).</p> <p>The report provided information on (i) the work undertaken to examine the existing arrangements in each of the three Ayrshire areas; (ii) further examination of the preferred model of the co-location of staff using existing separate Health and Social Care Partnership processes and systems – three separate models with a co-located hub (Model 3); and (iii) a trial of the first phase of the Model 3 by North Ayrshire from June 2016 with the involvement of the East and South Ayrshire in phases two and three.</p> <p>Members asked questions and were provided with further information in relation to:-</p> <ul style="list-style-type: none"> • The selection of Model 3 as the preferred model as an achievable model within the timescales that could be built upon; and • An initial scoping exercise that will be undertaken in respect of mental health. <p>The Board agreed to (a) approve the arrangements to establish a Concerns Hub in Kilmarnock Police Station to screen concerns about vulnerable children and adults; and (b) that future IJB reports include sections on (i) Anticipated Outcomes; and (ii) Measuring Impact.</p>	S. Brown/ K. Andrews
11.	<p>Equality Outcomes</p> <p>Submitted report by Jo Gibson, Principal Manager (Planning and Performance) on the draft Equality Outcomes prepared to meet the Equality and Human Rights Commission's (EHRC) requirement that IJBs publish a set of equality outcomes and a report on mainstreaming the equality duty by 30 April 2016.</p> <p>The Board agreed to homologate the Equality Outcomes Report that was published in order to meet the legal duties of the IJB in respect of the Equality Act 2010.</p>	J. Gibson

12.	<p>12. Health Improvement Strategies</p> <p>Submitted report by Dr Carol Davidson, Director of Public Health which provided an update on all Ayrshire and Arran's current Health Improvement Strategies/Action Plans. Appendix 1 to the report provided details of the strategies and actions plans.</p> <p>Members asked questions and were provided with further information in relation to:-</p> <ul style="list-style-type: none"> • The use of the Covalent system to manage and monitor the strategies and action plans; • Work that has been done to align new strategies with the CPP process; and • Consideration that will be given to (i) examining the strategies against the Inequalities Strategy's three levels of intervention – Undo, Prevent and Mitigate; and (ii) identification of the geographical areas. <p>Noted.</p>	
13.	<p>13. Director's Report</p> <p>Submitted report by Iona Colvin, Director NAHSCP on developments within the North Ayrshire Health and Social Care Partnership.</p> <p>The report highlighted work that has been underway in the following areas:-</p> <ul style="list-style-type: none"> • Strategic Planning and Operational Group; • Woodland View; • Ambitious for Ayrshire – Primary Care Event; • Models of Care for Older People and People with Complex Needs; • Wider Primary Care Approaches; • Transformation of Mental Health Services; • North Ayrshire Drug and Alcohol Service • Locality Forums • North Ayrshire HSPC Care at Home Services; • Combined Staff Survey Results; • Awards Nominations 	

	<p>The Board was advised that the Cabinet had agreed to provide non-recurring funding of £1.255m to the IJB, reflecting the projected overspend within the Partnership as recorded at the end of January 2016. The final outturn in respect of the Partnership has increased to £2.109m. A report will be presented to the Cabinet on 24 May 2016 requesting additional funding of £0.854m to meet the shortfall in the final outturn.</p> <p>Noted.</p>	
14.	<p>14. CMO Realistic Medicine</p> <p>Submitted report by Eddie Fraser, Director of Health and Social Care on the Annual Report of the Chief Medical Officer for Scotland for 2014/15.</p> <p>The report highlighted work that has been underway in the following areas:-</p> <ul style="list-style-type: none"> • Added value in a complex system; • Realism in Health Care; • Sharing Decision making and informing consent; • Management of risk; • Practice and improvement; • Translation of research into routine practice; • The Health of the Nation. <p>Noted.</p>	
15.	<p>Exclusion of the Public</p> <p>The Cabinet 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 items of business on the grounds indicated in terms of Paragraph 9 of Part 1 of Schedule 7A of the Act.</p>	
15.1	<p>15.1 Red Cross House, Irvine</p> <p>Submitted report by the Director of North Ayrshire Health and Social Care Partnership on the purchase and refurbishment of Red Cross House, Irvine.</p>	

	<p>Members asked questions and were providing with further information in relation to:-</p> <ul style="list-style-type: none"> • Community use of the hydrotherapy pool within Red Cross House; and • Work that will be done to cost the adaptations that will be required. <p>Noted.</p> <p>The meeting ended at 12.35 p.m.</p>	
--	--	--

DRAFT

Appeals Committee
20 May 2016

IRVINE, 20 May 2016 - At a Meeting of the Appeals Committee of North Ayrshire Council at 9.45 a.m.

Present

Alan Munro, John Easdale and Grace McLean.

In Attendance

A. Craig, Team Manager (Litigation) and A. Young, HR Operations Manager (Finance and Corporate Support).

Also In Attendance

J. McCaig, Senior Manager (Learning Disabilities) Health and Social Care Partnership; Y. Baulk, Head of Physical Environment (Place); C. Devoy and R. Lightfoot, HR Advisers (Finance and Corporate Support); and Appellant and Union representative (in respect of former employee within Health and Social Care Partnership).

Chair

Councillor Munro 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 Committee held on 13 May 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

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.

4. Disciplinary Procedure

4.1 Appeal Against Dismissal (Place)

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within Place.

The appellant, having been invited to attend the meeting of the Committee held on 13 May 2016, was not present. The Committee agreed to adjourn the proceedings on 13th May 2016 and to reconvene at a later date to afford the appellant a further opportunity to appear to present his case. It was further agreed on 13th May 2016 that the appellant be advised that failure to attend that meeting would result in the Committee considering the appeal 'in absentia'.

The appellant, having been again invited to attend, was not present and the appeal was considered 'in absentia'.

The Service Representative presented the grounds for dismissal as previously advised to the appellant in writing. Members of the Committee were given the opportunity to ask questions.

After summing up the case, the Service Representative, withdrew from the hearing to allow the Committee to deliberate.

The Committee agreed (a) that the grounds of appeal had not been substantiated and the appeal should not be upheld; and (b) that the appellant be so advised within 14 days.

4.1 Appeal Against Dismissal (Health and Social Care Partnership)

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within Health and Social Care Partnership.

The Service Representative presented the grounds for dismissal as previously advised to the appellant in writing. The appellant, and her representative, were given the opportunity to respond to the issues raised and to ask questions of the Service Representative.

In terms of Standing Order 5.7, the Chair adjourned the meeting for a short period to consider advice on the procedure. The meeting reconvened with the same Members, officers and parties to the appeal present.

Thereafter, the appellant's representative was afforded the opportunity to continue with further questions. Members of the Committee were also given the opportunity to ask questions.

Thereafter the appellant and her representative presented the grounds of appeal. The Service Representative was given the opportunity to respond to the issues raised and to ask questions of the appellant and his representative. At the request of the appellant's representative, the Chair agreed, in terms of Standing Order 5.7, to adjourn the meeting for a short period. The meeting reconvened with the same Members, officers and parties to the appeal present. Thereafter, the Service Representative was afforded the opportunity to continue with further questions. Members of the Committee were also given the opportunity to ask questions of the appellant and his representative.

Thereafter, at the request of the appellant's representative, the Chair agreed, in terms of Standing Order 5.7, to adjourn the meeting for a short period. The meeting reconvened with the same Members, officers and parties to the appeal present.

After summing up their respective cases, the Service Representative, together with the appellant and her representative, withdrew from the hearing to allow the Committee to deliberate.

The Committee agreed (a) that the grounds of appeal had not been substantiated and the appeal should not be upheld; and (b) that the appellant be so advised within 14 days.

The Meeting ended at 2.00 p.m.

Education Appeal Committee
23 May 2016

IRVINE, 23 May 2016 - At a Meeting of the Education Appeal Committee at 1.45 p.m.

Present

Ian Clarkson (North Ayrshire Council); and V. Gibson and A. Smith (lay members).

In Attendance

S. Quinn, Head of Schools and L. Taylor, Senior Manager (Resources and Infrastructure) and M. Thomas, Head Teacher (Mayfield Primary School) (Education and Youth Employment); and N. Shearer, Team Manager (Contracts and Licensing) and K. Sharkey, Clerk to the Education Appeal Committee.

Also In Attendance

Appellant and appellant's sister.

Chair

Councillor Clarkson 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 previous meeting held on 28 April 2016 was confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local government (Scotland) Act 1973.

3. Appointment of Chairperson

Councillor Clarkson was appointed to chair this meeting of the Education Appeal Committee.

4. Conduct of the Meeting

The Clerk briefed the Committee on the conduct of the meeting.

5. Exclusion of the Public and Press

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 that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 7A of the Act.

6. Appeals Against the Education Authority's Decision to Refuse a

Placement within Mayfield Primary School, Saltcoats

6.1 Appellant 3 in respect of Child 3

Submitted report by the Chief Executive on an appeal against the Education Authority's decision to refuse a placement within Mayfield Primary School.

The appellant, having been invited to attend, was present and accompanied by her sister. The Head of Schools, Senior Manager (Resources and Infrastructure) and the Head Teacher (Mayfield Primary School) (Education and Youth Employment) were also in attendance.

The Chair introduced those present and explained their role in the proceedings. He then outlined the procedures to be followed by the Committee and advised on how the decision of the Committee would be intimated to the appellant and the Education Authority, before inviting the Education and Youth Employment representatives to make their case. The appellant and Committee Members were afforded the opportunity to question the Education and Youth Employment representatives.

The appellant was then invited to present her case. The Education and Youth Employment representatives and the Committee Members had the opportunity to question the appellant.

The Education and Youth Employment representatives and the appellant summed up their cases, before withdrawing to allow the Committee to deliberate. The Committee reconvened for a short time to seek further information from the appellant regarding her circumstances and, thereafter, concluded its deliberations.

Decision

The Committee unanimously agreed to refuse the appeal on the grounds that, if granted, it would make it necessary for the Education Authority to take additional teaching staff into employment at the preferred school, Mayfield Primary School, and it would give rise to significant expenditure on extending or otherwise altering the accommodation or facilities provided in connection with Mayfield Primary School.

The Meeting ended at 2.55 p.m.

Audit Committee
23 May 2016

Irvine, 23 May 2016 - At a Meeting of the Audit Committee of North Ayrshire Council.

Present

Peter McNamara, John Ferguson, Tom Marshall, Catherine McMillan and Robert Steel.

In Attendance

L. Friel, Executive Director, M. Hogg, Head of Finance, P. Doak, Senior Manager (Internal Audit, Risk and Performance); A. Lyndon, Team Manager (Corporate Procurement); S. Humphries, Chief Revenue and Benefits Officer and K. O'Hara, Team Leader (Corporate Fraud) (Finance and Corporate Support); S. Quinn, Head of Service (Schools) (Education and Youth Employment); D. Rowlands, Head of Service (Health and Community Care) (North Ayrshire Health and Social Care Partnership); R. McCutcheon, Head of Service (Commercial Services) (Place) and A. Little, Committee Services Officer (Chief Executive's).

Also In Attendance

P. Craig, Audit Scotland.

Chair

Councillor McNamara in the Chair.

Apologies for Absence

David O'Neill and Joan Sturgeon.

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 Minutes of the meeting of the Committee held on 15 February 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. School Funds

Submitted report by the Executive Director (Education & Youth Employment) on the actions following the recent School Fund Internal Audit investigation where Internal Audit highlighted four areas for action.

The report outlined the processes and procedures that had been put in place to address the areas for action. In addition, Education Business Officers will undertake spot checks during routine visits to establishments.

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

- a variety of methods that are used across schools to manage schools funds and work that will be done to examine the benefits of an electronic package to manage schools funds; and
- training that is available for staff who handle monies and checks that will be made to ensure all new staff have access to the training

The Committee agreed (a) that the Executive Director (Education and Youth Employment) in conjunction with the Executive Director (Finance and Corporate Support) provide a progress report to the next meeting of the Committee; and (b) to otherwise note the report.

4. Internal Audit Reports issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Internal Audit work completed between 1 February and 30 April 2016. Appendix 1 to the report provided information on the seven reviews completed.

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

Payroll transaction testing

- information on authorised signatories that is maintained on the Payroll system; and
- updates that are required from departments to the authorised signatory list.

Commercial Refuse

- significant income that is generated from commercial refuse.

Noted.

5. Internal Audit and Corporate Fraud Action Plans: Quarter 4 update

Submitted report by the Executive Director (Finance and Corporate Support) on progress made by Council services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 31 March 2016. Appendix 1 to the report provided details of the 11 actions that were not complete within the agreed timescales.

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

Corporate Acceptable Computer Use Policy

- signature of the Acceptable Computer Use Policy Form by teaching and non-teaching staff;

- issues that prevent teaching staff attending the half day Corporate Acceptable Computer Use training, such as insufficient cover to release existing teachers to attend the course and a high turnover of supply teachers and short time contract staff;
- In-service days that are set and allocated one year in advance;
- an examination of the in-service days schedule to ascertain whether the half day Corporate Acceptable Computer Use training could be incorporated into one of the in-service days; and
- the date for actions to be completed on set by the service.

Performance Indicators

- delays in the provision of software that has prevented the multi contracts module being tested.

Transportation

- an Agency Agreement by the Corporate Transport Hub and SPT in respect of school transport that requires to be complete.

The Committee agreed (a) that the Head of Schools provide an update to the next meeting on progress in allocating time for teachers to attend the Corporate Acceptable Computer Use training; and (b) to otherwise note the report.

6. Annual Governance Statement 2015/16

Submitted report by the Executive Director (Finance and Corporate Support) on the Council's Annual Governance Statement for 2015/16 (Appendix 1) which outlined the governance framework in place and changes made to strengthen the framework during 2015/16.

The Committee agreed to approve the Annual Governance Statement 2015/16.

7. Accounting Policies 2015/16

Submitted report by the Executive Director (Finance and Corporate Support) on (a) the unaudited financial statements that are due to be completed and submitted to Audit Scotland by 30 June 2016; (b) the Accounting Policies (Appendix 2) which have been updated to reflect the adoption of International Financial Reporting Standards (IFRS) 13 Fair Value Measurement and to provide a more comprehensive statement in relation to Investment Properties; and (c) the main changes to the Accounting Policies which were outlined in Appendix 1 to the report.

The Committee agreed to approve the accounting policies as detailed in Appendix 2 to the report.

8. Review of Housing Benefit subsidy certification 2014/15

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of the Audit Scotland review of Housing Benefit subsidy certification 2014/15 as set out at Appendix 1 to the report, which highlighted that no errors were found in North Ayrshire Council's claim.

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

- information in respect of the replacement of the current subsidy arrangements for temporary accommodation with a new grant system that will be presented to the Cabinet;
- the Local Housing Allowance level that sets the local housing allowance rate for each Council area;
- information on the Local Housing Allowance levels that will be circulated to Members; and
- efforts that are made to recover overpayments in housing benefit.

Noted.

9. Audit Scotland report: Procurement in councils - Impact report

Submitted report by the Executive Director (Finance and Corporate Support) which provided information on (a) the impact of the 2014 report 'Procurement in Councils'; (b) the key messages and recommendations from the 2016 report 'Procurement in Councils'; and (c) North Ayrshire's progress against the 2014 recommendations.

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

- appropriately qualified procurement staff and staff who are working towards the relevant qualification;
- corporate procurement which excludes procurement on behalf of the Health and Social Care Partnership; and
- efforts that are made to ensure staff use contracted suppliers.

Noted.

10. Audit Scotland report: Why the Accounts Matter

Submitted report by the Executive Director (Finance and Corporate Support) which set out the findings of the recent Audit Scotland report entitled 'Financial Reporting and Scrutiny: Why the Accounts Matter', including areas for improvement and a checklist for Elected Members that can be used to help scrutinise the accounts for 2015/16 (Appendix 1).

Members asked questions and were provided with further information in relation to a training event that will be arranged for Elected Members to help scrutinise the accounts for 2015/16.

The Committee agreed to note (a) the findings of the Audit Scotland report 'Financial Reporting and Scrutiny; Why the Accounts Matter'; and (b) the Elected Members questionnaire to scrutinise the Council's financial arrangements.

11. Audit Scotland: Major Capital Investment in Councils - Follow Up

Submitted report by the Executive Director (Finance and Corporate Support) which set out (a) the main issues from the recent Audit Scotland follow up report on capital investment by local authorities, as detailed in Appendix 1 to the report; and (b) further work that is required by North Ayrshire Council in relation to post project evaluations and a more consistent use of business cases in evaluating projects (Appendix 2).

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

- training that will be arranged for Elected Members on major capital investment and will be tied into training to help scrutinise the accounts; and
- the use of external experts as necessary to identify any potential problems

The Committee noted (a) the findings of the recent Audit Scotland report; (b) the current position in North Ayrshire Council; and (c) further actions being taken to implement best practice in North Ayrshire.

12. Audit Scotland report: Health and Social Care Integration

Submitted report by the Director (Health & Social Care Partnership) on the recent national report by Audit Scotland on the integration of Health and Social Care services.

The Audit Scotland report was attached as Appendix 1 to the report and highlighted current progress, current issues and recommendations. Appendix 2 to the report detailed a range of recommendations to help organisations address potential risks to the success of health and social care integration, together with details of the relevant actions both taken and planned locally.

Noted.

13. External Audit Plan 2015/16

Submitted report by the Executive Director (Finance and Corporate Support) on the External Audit plan for 2015/16, attached at Appendix 1, which summarised Audit Scotland's assessment of the key risks and challenges facing the Council and the audit work proposed in the 2015/16 financial year.

Noted.

14. External Audit overview of Internal Audit

Submitted report by the Executive Director (Finance and Corporate Support) on the outcome of the annual assessment of the Internal Audit function by the external auditor, attached at Appendix 1, that concluded that Internal Audit is operating in line with their expectations.

Noted.

15. Local Scrutiny Plan and National Scrutiny Plan 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) on (a) the Local Scrutiny Plan (LSP) for 2016/17, as attached at Appendix 1, prepared by the Local Area Network of external scrutiny bodies and the National Scrutiny Plan, as attached at Appendices 2 and 3, which brings together all LSPs and is prepared by the Strategic Scrutiny Group.

Noted.

16. Internal Audit Annual Report 2015/16

Submitted report by the Executive Director (Finance and Corporate Support) on the Internal Audit Annual Report 2015/16 (Appendix 1) that outlined the performance and main findings of Internal Audit during 2015/16 and the governance, risk management and internal control environment of the Council.

Noted

17. Corporate Fraud Annual Report 2015/16

Submitted report by the Executive Director (Finance and Corporate Support) on the annual overview of the work of the Corporate Fraud team during 2015/16 that has undertaken eight separate investigations, seven of which have been reported to the Committee and one which is ongoing and will be subject to a future report once concluded.

Noted.

18. External Audit Action Plans: Quarter 4 progress update

Submitted report by the Executive Director (Finance and Corporate Support) which provided (a) information on the progress made in implementing the agreed action plans arising from the external audit of the Council's 2014/15 accounts; and (b) an update from the 2014/15 Review of Main Financial Systems action plan (Appendix 1).

Noted.

19. Strategic Risk Register 2016/17

Submitted report by the Executive Director (Finance and Corporate Support) which provided details of (a) a review of the Council's Strategic Risk Register undertaken for 2016/17 that recommended some changes to the register; and (b) approval by Cabinet on 29 March 2016 of the Strategic Risk Register (Appendix 1).

Noted.

20. Internal Controls update

Submitted report by the Executive Director (Finance and Corporate Support) which provided information on Audit Scotland's Annual Review of Systems of Internal Control and concluded that the authority's main financial systems were operating satisfactorily and that there were no areas of significant risk.

Noted.

22. Exclusion of the Public and Press

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 items of business on the grounds indicated in terms of Paragraph 9 of Part 1 of Schedule 7A of the Act.

22.1 Corporate Fraud Reports issued

Submitted report by the Executive Director (Finance and Corporate Support) on the findings of Corporate Fraud investigations completed between 1 February and 30 April 2016.

Noted.

23. Circulation of Reports

The Committee considered there was insufficient time for Members to prepare for the Committee meeting, due to the volume of reports on the agenda and the timescale between the delivery of the agenda and the date of the meeting. It was noted that five of the reports were from Audit Scotland and had previously been published on their website.

The Committee agreed that in future Audit Scotland reports would be (i) circulated to Members on their publication; and (ii) on the agenda of the next meeting of the Committee and take the form of an officers report summarising and analysing the Audit Scotland report.

The meeting ended at 12.45 p.m.

Cabinet
24 May 2016

Irvine, 24 May 2016 - At a Meeting of Cabinet of North Ayrshire Council at 2.30 p.m.

Present

Willie Gibson, John Bruce, Marie Burns, Anthea Dickson.

Also Present

Alex Gallagher (Item 4)

In Attendance

E. Murray, Chief Executive; L. Friel, Executive Director, A. Lyndon, Team Manager (Corporate Procurement) (Finance and Corporate Support); K. Yeomans, Executive Director, A. Sutton, Head of Service (Connected Communities), Jim McHarg, Senior Manager (Participation and Empowerment) and G. Robson, Senior Employability and Skills Manager (Economy and Communities); S. Brown, Head of Service (Children, Families and Criminal Justice Services) and D. Rowland, Head of Service (Health and Community Care) (North Ayrshire Health and Social Care Partnership); M. Sugden, Communications Officer (Media and Internal Communications) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Gibson in the Chair.

Apologies for Absence

Alan Hill and Tony Gurney.

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 held on 26 April 2016 and (ii) the special meeting of the Cabinet held on 10 May 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Suspension of Standing Orders

The Cabinet was invited to consider resolving, in terms of Standing Order 21, to suspend Standing Order 23, to allow consideration of the recommendation within Agenda Item 4 (Gallowgate Square, Largs).

The Cabinet unanimously resolved, in terms of Standing Order 21, to suspend Standing Order 23, to allow consideration of the recommendation within Agenda Item 4.

This item was subject to the call-in procedure per the Council's Scheme of Administration and will be considered at a meeting of the Scrutiny and Petitions Committee on 7 June 2016.

4. Gallowgate Square, Largs

Submitted report by the Chief Executive which set out (a) the background to a decision by Council to suspend the Gallowgate Square development pending the outcome of further consideration of the Masterplan priorities, as recommended by the North Coast Area Committee; and (b) a request from three Members of the disbanded North Coast Area Committee advising that they wished to proceed with the Gallowgate Square development and that a review of the Masterplan priorities was not required;

The Cabinet agreed that officers now proceed to take forward the Gallowgate Square developed in line with the decision of Cabinet on 15 September 2015.

5. Queen Elizabeth II Fields in Trust Challenge

Submitted report by the Executive Director (Economy and Communities) on (a) eight sites that had been nominated to the Queen Elizabeth II Fields in Trust in 2010; (b) ongoing discussions and correspondence between the Council and Fields in Trust that had taken place to conclude a satisfactory legal agreement; (c) a number of factors, including the enactment of the Community Empowerment Act Scotland, the development of the Council's draft pitches and facilities strategy and a proposed review of the Council's play areas, that have influenced the Council's position; and (d) the recommendation that the Council does not proceed to implement the Fields in Trust Challenge.

The Cabinet agreed to not proceed to implement the Fields in Trust Challenge.

6. North Ayrshire Landfill Advisory Fund Panel - Scottish Landfill Communities Fund

Submitted report by the Executive Director (Economy and Communities) which provided details of (a) the appointment of LandTrust in November 2015 to administer the Council's Scottish Landfill Communities Fund; (b) the establishment of the North Ayrshire Landfill Advisory Fund Panel, comprising Elected Members and Senior Officers, to act as a sounding board to inform the LandTrust's decision-making process; and (c) the Terms of Reference that have been developed in conjunction with LandTrust (Appendix 1).

The Cabinet agreed to approve the Terms of Reference for the North Ayrshire Landfill Advisory Fund Panel, as detailed in Appendix 1 to the report.

7. EU Funding & Poverty Social Inclusion

Submitted report by the Executive Director (Economy and Communities) on (a) recent approvals of EU funding; and (b) the intention to submit an application for funding to the Poverty and Social Inclusion ESF programme for a package of projects, as detailed in 2.10 of the report.

Members asked questions and were provided with further information in relation to match funding levels that are generally 60/40, with 60% required from the applicant and 40% provided from the funder.

The Cabinet agreed to (a) note the approvals of EU funding received to date; (b) approve the submission of a bid to the Poverty and Social Inclusion programme in line with the proposals and funding package; and (c) delegate authority to the Head of Economic Growth to negotiate the final package of proposals with Scottish Government Structural Funds Division.

8. Community Empowerment Act (2015): North Ayrshire Council consultation responses

Submitted report by the Executive Director (Economy and Communities) on (a) a range of consultations on proposals for statutory guidance and regulations as part of the Community Empowerment Act (Scotland) 2015; and (b) the proposed responses to the consultations, as detailed in Appendices 1 - 4 to the report.

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

- the Council's existing Community Asset transfer and Guidance that includes information on the length of time it takes to process a community asset transfer request; and
- the complexities around the community right to buy abandoned, neglected or detrimental land.

The Cabinet agreed to approve the submission of the consultations responses to the Scottish Government in terms of (a) Community Planning: Consultation on draft guidance and regulation; (b) Participation Requests: Consultation on draft regulations; (c) Asset transfer: Consultation on draft regulations; and (d) Consultation on secondary legislation proposals relating to Part 3A of the Land Reform (Scotland) Act 2003 – the community right to buy abandoned, neglected or detrimental land as introduced by the Community Empowerment (Scotland) Act 2015.

9. Community Asset Transfer Applications

Submitted report by the Executive Director (Economy and Communities) on community asset transfer applications received in respect of a number of properties and associated grounds, as detailed in Appendix 1 to the report.

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

- the approximate 3 months timescale to progress from Stage 4 to final transfer; and
- the development of a pilot partnership programme with ANCHO to assess the added value in terms of social, educational and health and well being of the neighbourhood.

The Cabinet agreed to (a) approve the transfer, subject to the satisfactory conclusion of negotiations by Officers at Stage 4 of the North Ayrshire Council Community Asset Transfer process (to agree the terms and conditions of lease, purchase or transfer of ownership of the properties and associated grounds) in respect of (i) Coastwatch Scotland; (ii) North Ayrshire Staff Association; (iii) Irvine Judo Club; (iv) Ayrshire Communities Education and Sport; and (b) a pilot a partnership arrangement with ANCHO at Redburn Community Centre.

10. Procurement Reform Scotland Act 2014 & Public Procurement (Scotland) Regulations 2015

Submitted report by the Executive Director (Finance and Corporate Support) on a number of actions required to comply with changes to the Public Procurement rules as result of the Procurement Reform Scotland Act 2014 and Public Procurement (Scotland) Regulations 2015, which came into effect on 18 April 2016, as detailed at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to training and support that will be provided to businesses in respect of changes that will be made to contract award criteria.

The Cabinet agreed to endorse the key actions, outlined in section 3.1 and 3.2 of the reports, which require to be implemented to comply with the Procurement Reform Scotland Act 2014 and Public Procurement (Scotland) Regulations 2015.

11. North Ayrshire HSCP 2015/16 Final Position

Submitted report by the Executive Director (Finance and Corporate Support) which set out (a) the final outturn for the North Ayrshire Health and Social Care Partnership; (b) a range of factors contributing to an increased overspend and proposed actions by the NAHSCP to ensure there is no recurrence of an overspend in 2016/17; and (c) options available to meet the increased deficit.

Members asked questions and were provided with further information in relation to a report to Cabinet on the corrective action that has been implemented and that the Partnership will deliver services in 2016/17 within available resources

The Cabinet agreed to (a) provide additional funding of £0.854m, in addition to the £1.255m agreed on 29 March 2016, on a non-recurring basis to the Integrated Joint Board; and (b) request the North Ayrshire HSCP bring forward a report early in 2016/17 providing further assurance that the Partnership will deliver services in 2016/17 within available resources.

12. Authority to invite tenders for the Framework for Construction Design and Management (CDM) Services

Submitted report by the Executive Director (Finance and Corporate Support) on the requirement to procure a new Framework for Construction Design and Management (CDM) Services.

The Cabinet agreed to invite tenders for the Framework for Construction Design and Management (CDM) Services.

13.1 Social Work Complaint Review Committee: Social Work Complaints Review Committee: Complaint by Mrs R and Mrs B

Submitted report by the Chief Executive on the findings and recommendations arising from the Social Work Complaints Review Committee meeting held on 4 May 2016

The Cabinet agreed to accept the Committee's recommendation to (a) partially uphold area 2 of the complaint; (b) not to uphold any other areas of the complaint; and (c) that in terms of good practice, future reports by the service to the Social Work Complaints Review Committee be based on a template to be provided to the service.

The meeting ended at 3.30 p.m.

Licensing Committee
25 May 2016

Irvine, 25 May 2016 - At a Meeting of the Licensing Committee of North Ayrshire Council at 2.00 p.m.

Present

Ian Clarkson, Robert Barr, John Bruce, Tom Marshall, Grace McLean, Catherine McMillan, Ronnie McNicol and Donald Reid.

In Attendance

W. O'Brien, Solicitor (Licensing), K. Sharkey, Solicitor (Contracts and Licensing), D. Robertson, Enforcement Officer, A. Toal, Administrative Assistant, and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Also In Attendance

Inspector J. Conway and Sergeant G. Griffiths (Police Scotland).

Chair

Councillor Clarkson in the Chair.

Apologies for Absence

John Easdale.

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 Committee held on 20 April 2016 was confirmed, and the Minutes were signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Wheelchair-Accessible Vehicles - Taxi and Private Hire Car Vehicle Specification under Civic Government (Scotland) Act 1982, Section 10(2)

Submitted report by the Chief Executive on wheelchair-accessible vehicles as they relate to the taxi and private hire car vehicle specification under the Civic Government (Scotland) Act 1982, Section 10(2).

At its meeting on 3 February 2016, the Licensing Committee considered the specification and agreed to undertake a review, including consultation with the Disability Forum. Immediately following the meeting, Members took the opportunity to inspect the side-loading and rear-loading vehicle types referred to by a taxi operator.

The Solicitor (Licensing) made reference to a consultation response from the Disability Forum in support of allowing both rear-loading and side-loading vehicles.

Members discussed the merits of rear-loading wheelchair-accessible vehicles in terms of safety and ease of access for users.

The Committee agreed (a) in principle, the Vehicle Specification should be amended to allow the use as taxis of rear-loading Wheelchair Accessible Vehicles; and (b) that the Solicitor (Licensing) submit a list of vehicles to a future meeting of the Committee for approval.

4. Taxi Numbers Limitation Policy - Civic Government (Scotland) Act 1982, Section 10(3)

Submitted report by the Chief Executive on the issue of a Taxi Numbers Limitation Policy in terms of the Civic Government (Scotland) Act 1982, Section 10(3).

The Solicitor (Licensing) advised the Committee that there were a number of issues, expressed as recommendations in the report, that they should consider, namely:-

- whether or not there should, in principle, be a limit on the number of taxi licences
- whether or not there should be a Taxi Numbers Limitation Policy and, if so
- what that policy should be

Members discussed the factors relevant to the introduction of a policy to limit taxi numbers, and how a public survey on the matter might be conducted.

The Committee agreed (a) to continue consideration of the report to a future meeting; and (b) that the Solicitor (Licensing) submit to that meeting, for approval, a draft list of questions for a public consultation on taxi number demand.

5. Exclusion of the Public and Press

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 that it involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A of the Act.

6. Civic Government (Scotland) Act 1982: Licensing Matters

Part A: Hearings

6.1 Taxi Licence (commonly known as 'Taxi Operator's Licence') and Taxi Driver Licence: Brian Deary TL/A10 and TDL/01816

The applicant, having been duly cited to attend, was present. Representatives from Police Scotland were also in attendance.

The representatives from Police Scotland addressed the Committee on the terms of a letter setting out an observation in relation to the applications, as previously intimated in writing to the applicant. Thereafter the applicant addressed the Committee on the issues raised in the Police observation and in a letter of objection to the applications and responded to questions.

The objector to the applications was then invited to join the meeting to address his objection.

The applicant, representatives of Police Scotland and the objector then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee agreed to grant the Taxi Driver's Licence and Taxi Licence (commonly known as 'Taxi Operator's Licence'), subject to the standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982 for a period of one year and three years, respectively. The Chair also reminded the applicant of his responsibilities in terms of his conduct and the importance of reporting incidents to the Police.

6.2 Taxi Driver Licence: James Gorman Watson TDL/00156

The applicant, having been duly cited to attend, was present. Representatives from Police Scotland were also in attendance.

The representatives from Police Scotland addressed the Committee on the terms of a letter setting out an objection in relation to the application, as previously intimated in writing to the applicant. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

The applicant and representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Councillor Marshall, seconded by Councillor Barr, moved that the application be refused on the basis that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to refuse the application on the basis that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence.

In terms of Standing Order 5.7, the Chair adjourned the meeting for a short comfort break. The meeting reconvened with the same Members, officers and Police representatives present and in attendance.

6.3 Taxi Driver Licence: Garry Hamilton TDL/01499

The applicant, having been duly cited to attend, was present. Representatives from Police Scotland were also in attendance.

The representatives from Police Scotland addressed the Committee on the terms of a letter setting out an observation in relation to the application, as previously intimated in writing to the applicant. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

The applicant and representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Councillor Barr, seconded by Councillor Marshall, moved that the application be granted for a period of 1 year and the applicant issued a verbal warning in terms of his future conduct. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to (a) grant the application subject to the standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982 for a period of one year; and (b) note the verbal warning issued by the Chair as to the applicant's future conduct.

6.4 Taxi Driver Licence: Kerr Chapman TDL/01470

The applicant, having been duly cited to attend, was present.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated to the applicant in writing. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

The applicant then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Councillor Marshall, seconded by Councillor McLean, moved that the application be granted for a period of 1 year. There being no amendment, the motion was declared carried.

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

6.5 Public Charitable Collection: Ivy Fundraising Ltd

The applicant, having been duly cited to attend, was present.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated to the applicant in writing. Thereafter the applicant addressed the Committee on the issues raised, advising that she had not, in fact, submitted the application in question and responded to questions.

The Committee noted the effective withdrawal of the application by Ivy Fundraising Limited.

6.6 Temporary Public Entertainment Licence: Wesley Smith PEL/297

The applicant, having been duly cited to attend, was present. Representatives of Ardrossan Winton Rovers, Whitlees Community Centre Committee and petitioners were also in attendance in respect of their objections to the application, together with representatives of Police Scotland.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated to the applicant in writing. The representatives of Police Scotland then addressed the Committee on the conditions which should be attached should the application be successful. Thereafter, representatives of objectors to the application addressed the meeting on the terms of their objections and responded to questions. The applicant then had an opportunity to address the Committee on the issues raised and responded to questions.

The applicant, representatives of Police Scotland and representatives of the objectors then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Councillor Barr, seconded by Councillor McLean, moved that the application be granted, subject to (i) the standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982, (ii) the additional conditions set out by Police Scotland and (iii) the event of Saturday 28 May 2016 not commencing until 5.00 p.m.

As an amendment, Councillor McNicol, seconded by Councillor Bruce, moved that the application be refused on the grounds that the proposed site is unsuitable for the event in question and there is insufficient parking provision in the immediate vicinity.

On a division, there voted for the amendment 3 and for the motion 5 and the motion was declared carried.

Accordingly, the Committee agreed to grant the application, subject to (i) the standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982, (ii) the additional conditions set out by Police Scotland and (iii) the event of Saturday 28 May 2016 not commencing until 5.00 p.m.

Councillor Marshall left the meeting at this point.

6.7 Taxi Driver Licence: Thomas Bagan TDL/01642

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

The Enforcement Officer set out the background to the Hearing as previously intimated in writing to the licence holder and made reference to the written submission of the complainer, who was not in attendance. Thereafter the applicant and his representative addressed the Committee on the issues raised and responded to questions. The licence holder then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed, on the basis of the information before it, to (a) note the circumstances of the incident and (b) take no action to suspend the licence in terms of Paragraph 11 (2)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

Part B: Applications for Licences/Renewal of Licences

6.8 Taxi Driver Licence: Scott B Morley: TDL/00951 (New)

The Committee unanimously agreed to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982 for a period of one year.

6.9 Taxi Driver Licence: Robert Thomson: TDL/01823 (Renewal)

The Committee unanimously agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

6.10 Taxi Driver Licence: Lelanie Biddulph: TDL/01831 (Renewal)

The Committee unanimously agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

7. Chair's Remarks

The Chair, in terms of Standing Order 9.3, agreed to vary the order of business to allow consideration of Agenda Items 7 (Caravan Sites and Control of Development Act 1960) prior to Agenda Item 6 (Public Charitable Collection Permissions: Civic Government (Scotland) Act 1982, Section 119).

8. Caravan Sites and Control of Development Act 1960

Submitted report by the Chief Executive on a request for the variation of conditions for Glenview Caravan Park (Licence C19).

The licenceholder was in attendance, addressing the Committee on the background to the request and responding to questions.

Councillor Barr, seconded by Councillor Bruce, moved to grant the request to vary the conditions in terms of Section 8(1) of the Caravan Sites and Control of Development Act 1960, to allow Glenview Caravan Park to operate 52 weeks per year for non-residential holiday lets only.

9. Public Charitable Collection Permissions: Civic Government (Scotland) Act 1982, Section 119

Submitted report by the Chief Executive which invited the Committee to consider whether or not the conditions applied to Collection Permissions should be replaced with those set out in Appendix 1 to the report.

Members discussed the following:-

- the importance of ensuring that licence holders display the notice prominently;
- whether Condition A5 should include a provision to specify that no collections will be permitted within "no cold calling" zones; and
- the time period set out at A5(a).

The Committee agreed to approve the revised conditions set out at Appendix 1 to the report in respect of Public Charitable Collection Permissions, subject to an amendment to Condition A5 to specify that no collections will be permitted within "no cold calling" zones.

The meeting ended at 1.10 p.m.

Planning Committee
1 June 2016

Irvine, 1 June 2016 - At a Meeting of the Planning Committee of North Ayrshire Council at 2.00 p.m.

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, John Bruce, Ian Clarkson, Joe Cullinane, Tom Marshall and Robert Steel..

In Attendance

J. Miller, Senior Manager (Planning) (Economy and Communities); A. Craig, Team Manager (Litigation) and A. Little, Committee Services Officer (Chief Executive's).

Chair

Councillor Brown.

Apologies for Absence

Ronnie McNicol.

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 meeting of the Committee held on 27 April 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Irvine and Kilwinning

16/00070/PPM: Site 21, Crompton Way, North Newmoor Industrial Estate, Irvine

Dawn Homes Ltd. & Toscafund (Compton Way) has applied for planning permission for the erection of 144 no. semi-detached and terraced houses with associated landscaping and infrastructure at site 21, Crompton Way, North Newmoor Industrial Estate, Irvine. One representation was received as detailed in the report.

The Committee agreed to grant the application, subject to the following conditions:-

1. That prior to the submission of any subsequent applications for future development phases, within the area outlined in blue, in the Location Plan (Ref. 3382 - AL(0)002), hereby approved, a detailed masterplan prepared together with a development brief shall be submitted for the approval of North Ayrshire Council as Planning Authority. The detailed masterplan shall take into account the findings of any further intrusive site investigations, archaeological investigations and the SuDS scheme.

In addition, the detailed masterplan and development brief shall take into account the principles of the Scottish Government's 'Designing Streets' and 'Designing Places' policy documents to the satisfaction of North Ayrshire Council as Planning Authority.

Thereafter, the details contained in any future planning application(s) shall accord with the detailed masterplan and development brief as may be approved, to the satisfaction of North Ayrshire Council as Planning Authority.

2. That no development shall take place until there has been submitted to and approved by North Ayrshire Council as Planning Authority a scheme of landscaping, which shall include details of species, planting densities, soil treatment and aftercare and shall include indications of all existing trees and hedgerows on the land and details of any to be retained together with measures for their protection in the course of the development.
3. That all planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting season and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless North Ayrshire Council as Planning Authority gives written consent to any variation.
4. That prior to the occupation of any of the dwellinghouses and where Council adoption of open space and landscaped areas is not to be pursued, details of the proposed factor or management agency for all areas of open space, landscaping and SuDs pond within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the areas of open space and landscaping shall be maintained and managed in accordance with the details as may be approved under the terms of Condition 2 above.

5. That, prior to the commencement of the development, details of phasing shall be submitted for the written approval of North Ayrshire Council, which shall incorporate phasing details for off-site infrastructure works, SuDS, tree planting and open space provision. Thereafter, the development shall be implemented only in accordance with such phasing as may be agreed with North Ayrshire Council as Planning Authority, unless otherwise agreed in writing.
6. That, prior to the commencement of the development, details of all boundary treatments to be formed shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, all boundary fences and walls as may be approved relating to or adjacent to each plot shall be erected prior to the occupation of the dwelling within that plot. All other boundary treatments shall be erected prior to the completion of each phase within the development, all to the satisfaction of North Ayrshire Council as Planning Authority.
7. That no development shall take place within the development site as outlined in red on the approved plan until the developer has secured the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service, and approved by the Planning Authority. Thereafter the developer shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Planning Authority in agreement with the West of Scotland Archaeology Service.
8. That, prior to the commencement of the development, hereby approved, full details of proposed treeworks and tree protection measures for the development shall be submitted for the written approval of North Ayrshire Council as Planning Authority. The details shall comply with the principles and practices contained in "BS 5837:2012 - Trees in relation to design, demolition and construction - Recommendations." Detailed plans indicating tree protection fencing to be erected, an Arboricultural Impact Assessment and an Arboricultural Method Statement shall be submitted for written approval. For the avoidance of doubt:
 - there shall be no treeworks undertaken during the main bird breeding season (March - September);
 - all tree protection measures to be erected shall be maintained in a satisfactory condition for the duration of all engineering and construction operations until the completion of the development.

The development shall be implemented only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.

9. That prior to the commencement of development, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority details of the scheme for the delivery of a 15% affordable housing contribution in accordance with Policy RES 4(Affordable Housing) contained within the adopted Local Development Plan. Thereafter, the affordable housing contribution shall be implemented only in accordance with such scheme as may be agreed with North Ayrshire Council as Planning Authority, unless otherwise agreed in writing.
10. That the noise mitigation measures contained within the Noise Impact Assessment, submitted in support of the application, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority. Details shall be submitted demonstrating of the undertaking and/or programming of these recommendations implementation. Notwithstanding this, prior to the commencement of the development hereby approved, a detailed specification and position of the acoustic fence as detailed in Appendix C of the Noise Impact Assessment, shall be submitted to and approved in writing by North Ayrshire Council as Planning Authority.
11. That the first 2 metres of the driveways shall be hard surfaced in order to prevent deleterious material being carried onto the carriageway and designed in such a way that no surface water shall issue from the access onto the carriageway.
12. That connecting public paths within the site shall be constructed to a multi user and all abilities access standard to the satisfaction of North Ayrshire Council as Planning Authority.
13. That, prior to the commencement of the development, a drainage strategy and plan for Phase 1 and 2 shall be submitted for consideration and approval in writing by North Ayrshire Council as Planning Authority. This shall include confirmation and certification by a suitably qualified person that a scheme to treat the surface water arising from the site including the wider master plan site has been prepared in accordance with the principles and practices contained in 'The SuDS Manual' (CIRIA report C753, published November 2015). Thereafter, the certified scheme shall be implemented prior to the completion of the development and maintained thereafter to the satisfaction of North Ayrshire Council as Planning Authority. For the avoidance of doubt, the drainage strategy and plan shall be in accordance with the master plan as may be approved under the terms of Condition 1 above.

14. That, prior to the erection of any of the dwellinghouses hereby approved, a detailed schedule of the proposed external finishes for each of the dwellinghouses together with a plan and schedule of the surface treatments to be used on the roads and footpaths within the site shall be submitted for the written approval of North Ayrshire Council as Planning Authority. Thereafter, the houses, roads and footpaths shall be constructed only in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.
15. That the recommendations contained within the site investigation report (Project Reference Number P15-409), submitted in support of the application, shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority. Details shall be submitted demonstrating of the undertaking and/or programming of these recommendations implementation. For the avoidance of doubt, this shall include the installation of ground gas protection measures and any soils deposited on site, in garden or amenity areas shall be free from contamination and suitable for use.

4. Irvine and Kilwinning

16/00243/PP: 23 Fullarton Street, Irvine

Catherine Walker, 25 Fullarton Street, Irvine has applied for change of use from Class 1 (retail) to Class 3 (food and drink) incorporating hot food takeaway and installation of ventilation extraction system at 23 Fullarton Street, Irvine. Two letters of objections had been received as detailed in the report. Five pro-forma letters in support of the application were also detailed in the report.

The Committee agreed to grant the application, subject to the following conditions:-

1. That the hours of operation for the sale of hot food at the premises shall be only between the hours of 0700 and 1800 on any day unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.
2. That, prior to commencement of the use hereby approved, the extraction system as detailed on drawing Ref: C/2302 shall be installed and operational, when the premises are in use, and thereafter maintained to the satisfaction of North Ayrshire Council as Planning Authority.
3. That the noise from the operation of extraction system hereby approved shall not cause nuisance to occupiers of nearby noise sensitive properties. For the avoidance of doubt: -
 - a) That the noise level from the unit when measured in a habitable room within a noise sensitive property shall not exceed 35dB(A)LEQ(1 hour) between the hours of 07:00 to 23:00 and shall not exceed 30dB(A)LEQ(15 mins) between the hours of 23:00 to 07:00.

- b) That using the principles set out in BS4142: 2014 Method for Rating and Assessing Industrial and Commercial Sound the rated noise level from the operation of the proposed unit, when measured outdoors, shall not exceed the background level by 5dB(A) or more at a suitable location within the grounds of any noise sensitive property.

5. North Coast and Cumbraes

16/00321/PP: 25 Caldwell Road, West Kilbride

Mr Roger Woods has applied for planning permission for the erection of an infill conservatory to the rear of the upper floor of a detached dwelling house at 25 Caldwell Road, West Kilbride. One letter of objection and a letter of representation were received as detailed in the report.

The Committee agreed to grant the application.

6. Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997: 17 Howden Avenue, Kilwinning KA13 7AQ

Submit report by the Executive Director (Economy & Communities) on a Notice under Section 179 of the Town and Country Planning (Scotland) Act 1997 (Wasteland Notice) in relation to the land at 17 Howden Avenue, Kilwinning.

The garden ground of the property, particularly to the side and front, has been used for dumping of what appears to be household items, building, garden and general waste. The property appears to currently be vacant and it is not clear if the waste relates to this property although allegations of dumping from other sites have been made. The condition of the land, due to the accumulation of refuse, has a significant adverse impact on the amenity of the local area.

The Council has received several complaints regarding the site. The owner of the land was requested in writing to clear the site and confirm intentions for the site. No response was received. Further inspections were carried out in March and April 2016 where it was revealed that the refuse had not been removed and further dumping appeared to have occurred. Further letters were sent to the owner requesting clearance. However, no response has been received.

The Committee agreed to approve the serving of a Notice under Section 179 of the town and Country Planning (Scotland) Act 1997 requiring the removal of all refuse from the land at 17 Howden Avenue, Kilwinning.

7. Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: Windyhill, Benslie, Kilwinning KA13 7QY

Submit report by the Executive Director (Economy & Communities) on a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to planning permission (ref: 14/00421/PP) which requires that prior to commencement of the development details of a 1.8m high obscure glazed panel, or similar screening, to be installed on the northern elevation, be submitted for approval of the Council, as Planning Authority. Any agreed details shall be installed and retained thereafter. Details of a 4 metres x 2 metres reed and wicker fence panel, folded so that the panel was double thickness, sited along the northern elevation of the boundary, was submitted and approved by the Council 18 August 2014.

The Council received a complaint in August 2015 that the balcony had been constructed but the screening had not been installed. An inspection revealed that the screen had not been installed and the owners were contacted in writing. They advised that it would be installed shortly. A subsequent inspection of the property revealed that a panel had been placed on the balcony. The report provided details of actions taken by the owners and correspondence relating to the condition for a full width screen with no gaps. The Council has received further complaints of the balcony in use without the required screen. As the screen has not been installed and maintained, Condition 1 is found to be in breach.

The Committee agreed to grant authority for the service of a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to planning permission (14/00421/PP).

8. Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997: West Mayish Cottage, Brodick, Isle of Arran KA27 8BX

Submit report by the Executive Director (Economy & Communities) on a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to a planning permission (ref: 07/00787/PP) requiring that within one month of the completion or the occupation of the dwellinghouse, whichever is sooner, the existing caravan on the site be removed and the land reinstated to its former condition. The building was completed on 28 December 2009.

The Council received a complaint in 2010 that the caravan had not been removed. In November 2010 the owner advised the Council that the caravan had been removed. Further complaints were received that the caravan remained in situ and there is no evidence of the caravan having ever been removed. The report provided details of correspondence and conversations with the owner

The Committee agreed to grant authority for the service of a Notice under Section 145 of the Town and Country Planning (Scotland) Act 1997 requiring compliance with a condition attached to planning permission (07/00787/PP) requiring that within one month of the completion or the occupation of the dwelling house, whichever is the sooner, the existing caravan on the site be removed and the land reinstated to its former condition.

9. Stopping Up Order: B714 (Girthill Farm, Saltcoats - Tower Farm, Dalry)

Submit report by the Executive Director (Economy & Communities) on an order stopping up an existing section of the B714 which would be bypassed by a road improvement scheme.

The upgrading of the B714 will result in the diversion of the existing road onto agricultural land to the west of Girthill Farm and Yonderhouses Farm. The new road would tie-in to the existing road to the north of Yonderhouses Farm and also to the south of Girthill Farm. The existing road would remain available for farm access purposes, but would no longer be included in the list of adopted roads.

The Committee agreed to make an order under Section 207 and 208 of the Town and Country Planning (Scotland) Act 1997 stopping up the length of the existing B714 which would be bypassed as a result of the new diverted route which is to be constructed by the Council, the order to come into effect upon the completion of the new road.

The meeting ended at 2.35 p.m.

Local Review Body
1 June 2016

Irvine, 1 June 2016 - At a Meeting of the Local Review Body of North Ayrshire Council at

Present

Matthew Brown, John Ferguson, Robert Barr, John Bell, John Bruce, Ian Clarkson, Tom Marshall and Robert Steel.

In Attendance

R. Middleton, Planning Adviser to the Local Review Body and A. Craig, Planning Adviser to the Local Review Body; and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Brown in the Chair.

Apologies for Absence

Ronnie McNicol.

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 Committee held on 27 April 2016 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Notice of Review: N/15/00632/PP: Land at Perceton Gate, Part Middleton Farm, Irvine

Submitted report by the Chief Executive on a Notice of Review by the applicant in respect of a planning application refused by officers under delegated powers for the siting of a static caravan for residential use at land at Perceton Gate, Part Middleton Farm, Irvine.

The Notice of Review documentation, the Planning Officer's Report of Handling, a location plan and a copy of the Decision Notice, were provided as appendices to the report.

The Planning Adviser to the Local Review Body introduced the matter under review, confirming that the Notice of Review had been submitted timeously by the applicant.

The Local Review Body agreed that it had sufficient information before it to determine the matter without further procedure. The Planning Adviser thereafter summarised the Notice of Review for the Applicant, the Report of Handling of the Appointed Officer and the representations lodged. Photographs and plans of the proposed development were displayed.

Having considered all of the information, the Local Review Body agreed to uphold the decision to refuse planning permission on the grounds that:-

- (1) that the proposal would not accord with Policy ENV2 of the Adopted Local Development Plan (LDP) in that the applicant has failed to demonstrate a genuine operational need for a worker to live on site in pursuance of an established rural business; and
- (2) That the proposal would be contrary to criteria (a) and (b) of the General Policy. The caravan is a temporary structure, which would be visually prominent and the siting would have an adverse impact on the character, appearance and amenity of the local area.

and (b) that the Decision Notice be drafted by Officers, agreed by the Chair and, thereafter, signed by the Proper Officer for issue to the applicant.

The meeting ended at 2.50 p.m.

Education Appeal Committee
2 June 2016

IRVINE, 2 June 2016 - At a Meeting of the Education Appeal Committee at 2.00 p.m.

Present

Ian Clarkson (North Ayrshire Council); and T. Grayston and G. Killin (lay members).

In Attendance

L. Taylor, Senior Manager (Resources and Infrastructure), M. Thomas, Head Teacher (Mayfield Primary School) and C. Reid, Project Officer (Education and Youth Employment); and N. Shearer, Team Manager (Contracts and Licensing).

Also In Attendance

Appellant.

Chair

Councillor Clarkson 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 previous meeting held on 23 May 2016 was confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local government (Scotland) Act 1973.

3. Appointment of Chairperson

Councillor Clarkson was appointed to chair this meeting of the Education Appeal Committee.

4. Conduct of the Meeting

The Clerk briefed the Committee on the conduct of the meeting.

5. Exclusion of the Public and Press

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 that it involved the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 7A of the Act.

6. Appeals Against the Education Authority's Decision to Refuse a Placement within Mayfield Primary School, Saltcoats

6.1 Appellant 4 in respect of Child 4

Submitted report by the Chief Executive on an appeal against the Education Authority's decision to refuse a placement within Mayfield Primary School.

The appellant, having been invited to attend, was present. Senior Manager (Resources and Infrastructure), the Head Teacher (Mayfield Primary School) and Project Officer (Education and Youth Employment) were also in attendance.

The Chair introduced those present and explained their role in the proceedings. He then outlined the procedures to be followed by the Committee and advised on how the decision of the Committee would be intimated to the appellant and the Education Authority, before inviting the Education and Youth Employment representatives to make their case. The appellant and Committee Members were afforded the opportunity to question the Education and Youth Employment representatives.

The appellant was then invited to present her case. The Education and Youth Employment representatives and the Committee Members had the opportunity to question the appellant.

The Education and Youth Employment representatives and the appellant summed up their cases, before withdrawing to allow the Committee to deliberate.

Decision

The Committee unanimously agreed to refuse the appeal on the grounds that, if granted, it would make it necessary for the Education Authority to take additional teaching staff into employment at the preferred school, Mayfield Primary School, and it would give rise to significant expenditure on extending or otherwise altering the accommodation or facilities provided in connection with Mayfield Primary School.

The Meeting ended at 3.00 p.m.

Appeals Committee
3 June 2016

IRVINE, 3 June 2016 - At a Meeting of the Appeals Committee of North Ayrshire Council at 10.30 a.m.

Present

Alan Munro, Marie Burns and Grace McLean.

In Attendance

C. Andrew, Senior Manager Legal Services (Chief Executive's Service); and R. Lennon, Senior HR Adviser (Finance and Corporate Support).

Also In Attendance

A. Blakely, IT Manager (Finance and Corporate Support); F. Carlyle HR Advisers (Finance and Corporate Support); and Appellant and Union representative

Chair

Councillor Munro 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 Committee held on 20 May 2016 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Exclusion of the Public

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.

4. Disciplinary Procedure: Appeal Against Dismissal

Submitted report by the Chief Executive on the background to an appeal against dismissal by a former employee within Finance and Corporate Support.

The Service Representative presented the grounds for dismissal as previously advised to the appellant in writing. The appellant, and his representative, were given the opportunity to respond to the issues raised and to ask questions of the Service Representative. Members of the Committee were also given the opportunity to ask questions.

Thereafter the appellant and his representative presented the grounds of appeal. The Service Representative was given the opportunity to respond to the issues raised and to ask questions of the appellant and his representative. Members of the Committee were also given the opportunity to ask questions of the appellant and his representative.

After summing up their respective cases, the Service Representative, together with the appellant and his representative, withdrew from the hearing to allow the Committee to deliberate.

The Committee agreed (a) that the grounds of appeal had not been substantiated and the appeal should not be upheld; and (b) that the appellant be so advised within 14 days.

The Meeting ended at 11.10 a.m.