



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

## **North Ayrshire Council Meeting**

**14 December 2022**

### **VOLUME OF MINUTES**

**From 10 June 2022 – 29 November 2022**

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**Ayrshire Shared Services Joint Committee**  
**10 June 2022**

At a Meeting of the Ayrshire Shared Services Joint Committee at 10.00 a.m. involving participation by remote electronic means.

**Present**

Councillors Marie Burns and Scott Davidson (North Ayrshire Council); Councillors Ian Davis and Philip Saxton (South Ayrshire Council); and Councillors Neal Ingram, Maureen McKay, Douglas Reid and Neill Watts (East Ayrshire Council).

**In Attendance**

K. Braidwood, Head of Ayrshire Roads Alliance (Ayrshire Roads Alliance); P. Whip, Group Finance Manager (East Ayrshire Council); C. Caves, Head of Legal, HR and Regulatory Services (South Ayrshire Council); K. Carr, Executive Manager – Place Directorate, (South Ayrshire Council) (Items 5 – 8); J. McGeorge, Coordinator (Ayrshire Civil Contingencies) and A. Little and C. Stewart, Committee Services Officers (Chief Executive's Service).

**Chair**

Councillor Marie Burns (Agenda Items 1 – 3) and Councillor Philip Saxton (Agenda Items 4 - 7).

**Apologies**

Councillor Tom Marshall (North Ayrshire Council), Councillors Alec Clark and William Grant (South Ayrshire Council) and Katie Kelly, Depute Chief Executive (East Ayrshire Council).

**1. Declarations of Interest**

There were no declarations of interest by Members in terms of the Joint Committee's Order No. 25 and the Councillors' Code of Conduct.

**2. Urgent Item and Order of Business**

The Chair, in terms of Standing Order 9.1, agreed to consider a presentation by Ayrshire Civil Contingencies Team on Civil Contingencies Awareness for Elected Members as a matter of urgency and to vary the order of business to allow consideration of this item as the first business item of the agenda.

**3. Ayrshire Civil Contingencies Team**

The Joint Committee received a presentation from the Ayrshire Civil Contingencies Team (ACCT) that provided information on:-

- Awareness of the Civil Contingencies Act 2004 and the duties placed on Local Authorities;

- The role of Ayrshire Civil Contingencies Team in supporting the Ayrshire Councils to deliver civil contingency duties, including governance arrangements;
- Notification of an incident and the Integrated Emergency Management philosophy;
- Civil Contingencies risks for South Ayrshire communities;
- The role of the Local Authorities when responding to a Major Incident; and
- The role of Elected Members in a Major Incident

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

- The operation of the ACCT 24 hours a day, 365 per year;
- Liaison between the Council Incident Co-ordinator and Council Incident Officer at the scene of an incident to keep the Chief Executive advised of developments;
- The availability and provision of emergency equipment and supplies, such as sandbags, upon request;
- A review of the Disruptive Weather Plan following any major weather incident;
- Post incident debriefs that take place following an incident involving the Civil Contingency Team, the Council Incident Officer and all other relevant Council officers and a training programme that would be rolled out to the 3 councils to ensure everyone is confident and comfortable in their role;
- Outer cordons that are set up for safety purposes and identification of rendezvous points by the appropriate emergency services;
- Mention of the in a recent Audit Scotland report;
- The recent Audit Scotland report that had highlighted the Ayrshire Local Resilience Partnership as a good practice model for the community and partnership working in response to the Covid pandemic; and
- Circulation of the Audit Scotland report to Members.

Noted.

#### **4. Rotation of Chair**

Councillor Burns withdrew from the Chair at this point, to allow Councillor Saxton to chair the meeting for the remaining items of Ayrshire Roads Alliance business.

Councillors Burns and Davidson left the meeting at this point.

#### **5. Minutes**

The Minutes of 11 March 2022 were submitted and approved.

#### **6. Roadworks Programme 2022/23**

Submitted report by the Head of Roads, Ayrshire Roads Alliance, on the progress made with the road improvement programmes within East Ayrshire and South Ayrshire

for financial year 2022/23. The programmes for 2022/23 were set out at Appendix 1 and Appendix 2 to the report and Appendix 3 provided details of EV Infrastructure

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

- The unexpected unsuccessful East Ayrshire timber transport funding bid to Scottish Forestry;
- Whilst the bids had been based on the information provided by Scottish Forestry, they had not considered the bid had sufficient haulage of timber;
- Conversations on the bid outcome that would take place with Scottish Forestry and at the next meeting of the timber Transport Forum;
- The provision of a report to a future meeting of the Joint Committee on the criteria for timber transport funding bids;
- An update that had been provided to Members on Victoria Bridge;
- Further consultation that had been undertaken with residents of Seaford Street, Ellis Street, Howard Street on their preferred scheme and collation of the responses that would be undertaken;
- EV chargers currently being installed that had been funded by Transport Scotland;
- EV chargers along the A76 and A71 routes and work with Scottish Futures Trust and Transport Scotland to develop a pan Ayrshire EV charging network; and
- Work with Scottish Futures Trust and Transport Scotland to explore private/public partnerships and a revised strategy for public chargers and that a report would be presented to East Ayrshire Council Cabinet for consideration following the summer recess and an updated report to South Ayrshire Council.

The Joint Committee agreed to (a) note the Ayrshire Roads Alliance works progress for 2022/23; and (b) otherwise note the content of the report.

## **7. Development Control Update - Road Bonds**

Submitted report by the Head of Ayrshire Roads Alliance providing an update on the current position regarding road bonds held by the Ayrshire Roads Alliance on behalf of East Ayrshire and South Ayrshire Councils. The Register of Road Bonds was attached at Appendix 1 to the report and Appendix 2 provided information on the Completed Road Bonds and Road Adoptions since August 2021. Appendix 3 detailed the New Bonds received since August 2021 and Appendix 4 provided the Procedure relating to the management and reporting of road bonds and road construction consents.

Members asked a question and received information on the security (Roads Bond) provided by developers to cover the cost of constructing the development's roads should the developer default by not completing the roads to an adoptable standard.

The Joint Committee agreed (a) to note (i) the position regarding road bonds currently held by the Ayrshire Roads Alliance on behalf of East Ayrshire Council and South Ayrshire Council; and (ii) the outcome and actions from an internal audit of road bonds; (b) that progress updates are provided to future meetings of the Joint Committee on an annual basis; and (c) to otherwise note the content of the report.

## **8. Risk Report and Register**

Submitted report by the Head of Ayrshire Roads Alliance on the Risk Report and Register, which provided information on the management of risk associated with the Ayrshire Roads Alliance. The Risk Register Scoring Matrix was set out at Appendix 1 and the Risk Register set out at Appendix 2 to the report.

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

- An additional risk that would be added to the register - Risk 69, the increasing cost of fuel for vehicles across the service;
- Close monitoring of all programmes as a result of the rising costs of all materials; and
- The use of the scoring system agreed and adopted by both Councils if increased costs required prioritisation of projects.

The Joint Committee agreed to (a) note the risk register presented in the report; (b) continue to receive updates on progress; and (c) otherwise note the content of the report.

## **9. Service Plan 2022/23**

Submitted report by the Head of Ayrshire Roads Alliance on the Ayrshire Roads Alliance Service Plan for 2021/22. Appendix 1 to the report provided details on the current operating position of the Ayrshire Roads Alliance and Appendix 2 set out the Ayrshire Roads Alliance Performance Scorecard Detailed Monitoring report.

The Joint Committee was advised of a typographical error within the financial table on Page 12 of the Service Plan report, which should read as shown below:-

South Ayrshire Council Revenue - £6,443,398  
Combined budget for ARA for capital and revenue is £36,702,238

The report would be amended prior to submission to the South Ayrshire Council Partnership Panel and to both Councils.

The Joint Committee agreed to (a) approve the Ayrshire Roads Alliance Service Plan for 2022/23; (b) note (i) the confirmed finance budgets for 2022/23 and (ii) the Performance Scorecard for 2021/22; (c) receive a six month progress update to a future meetings of the Joint Committee; and (d) otherwise note the content of the report.

## **10. Update on Performance Scorecard**

Submitted report by the Head of Ayrshire Roads Alliance on progress made to date against the Performance Scorecard. The Performance Scorecard was set out at Appendix 1 to the report.

The Joint Committee agreed to (a) note the performance scorecard presented in the report; (b) continue to receive the performance scorecard updates; and (c) otherwise note the content of the report.

## **11. Any Other Competent Business**

### **11.1 Format of Future Meetings**

Councillor Saxton, seconded by Councillor McKay, moved that future meetings be held on hybrid basis, providing an opportunity for physical and remote attendees. There being no amendment the motion was declared carried.

The meeting ended at 11.10 a.m.

**Ayrshire Shared Services Joint Committee**  
**2 September 2022**

At a Meeting of the Ayrshire Shared Services Joint Committee at 11.00 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

**Present (Physical Participation)**

William Grant (South Ayrshire Council).

**Present (Remote Participation)**

Philip Saxton and Ian Davis (South Ayrshire Council), Neal Ingram and Neill Watts (East Ayrshire Council).

**In Attendance (Physical Participation)**

P. Whip, Group Finance Manager (East Ayrshire Council); and A. Little and C. Stewart, Committee Services Officers (Chief Executive's Service).

**In Attendance (Remote Participation)**

Katie Kelly, Depute Chief Executive and E. Mackay, Chief Auditor (East Ayrshire Council); K. Braidwood, Head of Ayrshire Roads Alliance, Craig Knape, Strategic Manager Network and Operations (Ayrshire Roads Alliance) and Theresa Mackin, Strategic Manager Business Operations (Ayrshire Roads Alliance); Bruce Kiloh and John Binning (Strathclyde Partnership for Transport).

**Chair**

Councillor Philip Saxton.

**Apologies**

Maureen McKay (East Ayrshire Council)

**1. Declarations of Interest**

There were no declarations of interest by Members in terms of the Joint Committee's Order No. 25 and the Councillors' Code of Conduct.

**2. Presentation: Strathclyde Partnership for Transport**

Bruce Kiloh and John Bunning, Strathclyde Partnership for Transport (SPT) provided an informative presentation on the work SPT.

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

- a proposed review of the service design and operation of SPT's MyBus service; and
- preparation of the new Regional Transport Strategy, supported by a delivery plan that would set out when and how projects and proposals would be delivered.

Noted.

### **3 Revenue Financial Monitoring Report**

Submitted report by the Head of Finance and ICT on the revenue budget monitoring position for the year to 31 March 2022, for the Ayrshire Roads Alliance and also the budget for 2022/23. Appendix 1 provided the service budget split between the strategic service delivery and local service delivery, including the core/recurring costs of service delivery from the local service costs at a single Council level. A full budget monitoring statement, including reasons for major variances was attached at Appendix 2. Appendix 3 gave an analysis of budget movement between 2021-22 and 2022-23 budget allocations along with an explanation of those movements.

The Joint Committee agree to (a) note (i) the financial management position of the Ayrshire Roads Alliance for 2021-22; and (ii) the detail of the 2022-23 Ayrshire Roads Alliance revenue budget; and (b) receive a further financial update at the next meeting of the Joint Committee.

### **4 Internal Audit Annual Update**

Submitted report by the Chief Auditor providing an update of internal audit work to the Ayrshire Shared Services Joint Committee, internal audit outcomes since the inception of Ayrshire Roads Alliance and items included in the current year plan. Appendix 1 to the report gave details of the internal audit work undertaken since 2013/14. Fifteen assignments had been carried out and 10 follow-up exercises completed to test implementation of internal audit recommendations. Most assignments resulted in either reasonable, sound in most areas or sound assurance. Follow-up exercises since 2018/19 resulted in scores of 100%, with all recommendations either fully or sufficiently implemented.

The Joint Committee agreed to note (i) the outcomes of Internal Audit work to date as summarised at paragraph 12 and detailed at Appendix 1 to the report; (ii) the ongoing annual opinion of reasonable assurance for East Ayrshire Council as laid out in paragraphs 13-14; and (iii) the Ayrshire Roads Alliance item included in the 2022/23 EAC Internal Audit plan as noted at paragraph 15.

### **5 Roads Programme 2022/23**

Submitted report by the Head of Roads on the progress of work through the Roads Improvement Programmes within East Ayrshire and South Ayrshire for financial year 2022-2023. The 2022/23 programmes for South and East Ayrshire Councils were set out at Appendix 1 and Appendix 2 to the report and Appendix 3 provided details of EV Infrastructure.

Members asked questions and were provided with further information in relation to timber transport funding of £0.148m for two South Ayrshire projects and no award to East Ayrshire despite bids for 3 projects.

The Joint Committee agreed to note the Ayrshire Roads Alliance works completed in 2022/23.

## **6 Winter Service Review**

Submitted report by the Head of Roads on the Review of the Winter Service for 2021/22, that included details of a gritting route optimisation exercise that would be undertaken, improved digital information relating to winter gritting and grit bins, the publication of the location of Grit Bin/Community Grit Bin locations on the Ayrshire Roads Alliance website and site specific bin location plans on the Council's website and de-icing materials for carriageway treatments and footway routes.

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

- Engagement and consultation with communities, community councils and residents' groups on the winter service provision; and
- Forecast monitoring that is undertaken to enable gritting when required out with the gritting regime.

The Joint Committee agreed to note (i) the improvements introduced for the 2021/22 Winter Season; and (ii) the winter and other emergencies funding levels in relation to current levels of service.

## **7 Procedure relating to the inspection of Ayr South Pier**

Submitted report by the Head of Roads on the proposed procedure relating to the inspection of Ayr South Pier

The procedure relating to the inspection of Ayr South Pier was attached at Appendix 1 to the report and detailed:-

- Responsibilities/ownership;
- Lifebuoy Inspections;
- Walking Surfaces and Fencing;
- Sub-Structure Inspection;
- Underwater Dive Survey;
- Special Emergency Inspections; and
- Records Keeping.

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

- The inspection and routine maintenance regime in place to monitor the condition and maintain the south pier;
- Additional inspections that would be carried out in response to any concerns or complaints raised by members of the public.

The Joint Committee agreed to (a) the procedure relating to the inspection of Ayr South Pier, as outlined in Appendix 1 to the report; and (b) to otherwise, note the content of the report.

## **8 Risk Report and Register**

Submitted report by the Head of Roads on the management of risk associated with the Ayrshire Roads Alliance. The Risk Register Scoring Matrix was provided at Appendix and the Ayrshire Roads Alliance Risk Register was attached at Appendix 2 to the report.

The Joint Committee agreed to (a) note the Risk Register detailed at Appendix 2 to the report; and (b) receive updates on progress at future meetings of the Joint Committee.

## **9 Performance Scorecard**

Submitted report by the Head of Roads on the progress made to date against the Performance Scorecard. The Performance Scorecard was attached at Appendix 1 to the report and provided commentary against the specific red and amber performance measures.

The Joint Committee agreed to (a) note the performance scorecard, as detailed at Appendix to the report; and (b) receive Performance Scorecard updates at future meetings of the Joint Committee.

## **10 Improvement Action Plan**

Submitted report by the Head of Roads on the management of the Improvement Action Plan with the Ayrshire Roads Alliance. Appendix 1 to the report provided the September Update of the Improvement Action Plan 2022/23.

Members asked questions and were provided with further information in relation to a Strategic Economic Impact Assessment of the A75/A77 that is underway. Public consultation/survey is currently being undertaken, covering communities throughout Ayrshire (North, South and East) and Dumfries & Galloway. Approximately 600 responses have been received, with more responses expected as the survey is promoted on social media and the radio.

The Joint Committee agreed to (a) note the Improvement Action Plan, detailed at Appendix 1 to the report; and (b) receive updates on progress to future meetings of the Joint Committee.

The meeting ended at 12.10 p.m.

## **AYRSHIRE ECONOMIC JOINT COMMITTEE**

### **MINUTES OF SPECIAL MEETING HELD ON THURSDAY 8 SEPTEMBER 2022 AT 0908 HRS IN THE SIR ALEXANDER FLEMING ROOM, EAST AYRSHIRE COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK/MS TEAMS**

**PRESENT:** Councillors Barry Douglas, Clare Maitland and Douglas Reid, all East Ayrshire Council; Councillors Marie Burns and Anthony Gurney, North Ayrshire Council; Councillors Martin Dowey, Peter Henderson and Bob Pollock, South Ayrshire Council; Simon Foster, Director of Engineering, Spirit Aerosystems; Derek McCrindle, Scottish Enterprise; Angela Cox, Ayrshire College and Paul Zealey, Skills Development Scotland.

**ATTENDING:** Eddie Fraser, Chief Executive; Katie Kelly, Depute Chief Executive; Joe McLaughlan, Chief Financial Auditor and Head of Finance and ICT; David McDowall, Head of Economic Growth all East Ayrshire Council; Craig Hatton, Chief Executive; Russell McCutcheon, Executive Director - Place; Karen Yeomans, Director - Growth and Investment; and Emma McMullen, Senior Manager, Economic Development all North Ayrshire Council; Eileen Howat, Chief Executive; Louise Reid, Assistant Director – Place; and Theo Leijser, Service Lead - Economy and Regeneration, all South Ayrshire Council; Anne-Marie Steele, Compliance and Performance Officer, Ayrshire Growth Deal; Alastair Dobson, Taste of Arran; and Lynn Young and Sheryl Wilcox, Democratic Services Officers, East Ayrshire Council.

**APOLOGIES:** Councillor Maureen McKay, East Ayrshire Council; Alison Craig, Strategic Growth Deal Manager; and Graham Saunders, Programme Manager, both Ayrshire Growth Deal; Donald Gillies, Director - Place; Caitriona McAuley, Head of Service - Economic Development; and Jane Martin, Scottish Enterprise.

**CHAIR:** Councillor Douglas Reid.

#### **APPOINTMENT OF CHAIR**

1. Noted that under the Terms of Reference for the Ayrshire Economic Joint Committee, the Chair of the Joint Committee is due, from September 2022, to rotate to East Ayrshire Council for the period up until September 2023.

Agreed to appoint Councillor Douglas Reid as Chair.

#### **RATIFICATION OF APPOINTMENT OF CHAIR OF AYRSHIRE ECONOMIC PARTNERSHIP BOARD**

2. Agreed the appointment of Councillor Douglas Reid as Chair of the Ayrshire Economic Partnership Board.

#### **MINUTES OF PREVIOUS MEETINGS**

3. The Minutes of meeting of 20 June 2022 and special meeting of 30 June 2022 were submitted and approved as correct records.

#### **DIGITAL PROCESSING MANUFACTURING CENTRE, PHASE 1 - FULL BUSINESS CASE**

4. There was submitted a report (copy enclosed) by the Director, Growth and Investment, North Ayrshire Council which sought approval of the Full Business Case (FBC) for

Phase 1 of the Ayrshire Growth Deal, Digital Processing Manufacturing Centre (DPMC) project at i3 Enterprise Area in Irvine.

The Director - Growth and Investment advised that approval was only sought at this stage for Phase 1 of the project, which was a pilot and would use £1m of the £6m allocated from the AGD to the DPMC project. This would also be supported by a grant of £515,100 from Scottish Enterprise and additional contributions of £48,300 each from project partners North Ayrshire Council, University of Strathclyde and Centre for Process Innovation (CPI). The Full Business Case would be subject to further addendums as Phase 1 progressed and would be followed by a Full Business Case for Phase 2.

It was agreed:

- (i) to note the report and the FBC for DPMC Phase 1 at Appendix 1 to the report;
- (ii) to note that the UK Government had approved the Outline Business Case;
- (iii) to note that the UK Government had endorsed the Full Business Case for DPMC Phase 1; and
- (iv) to approve the FBC and implementation of its activities.

#### **AYRSHIRE GROWTH DEAL - DIGITAL PROJECTS UPDATE**

5. There as submitted a report (circulated) by the Project Lead - Space and Digital Ayrshire Growth Deal on progress of the Ayrshire Growth Deal Fibre Optic Subsea Cable Project as at 8 September 2022.

It was agreed:

- (i) to note the updates provided in the report; and
- (ii) to note the anticipated next steps.

#### **UK GOVERNMENT - SHARED PROSPERITY FUND INVESTMENT**

6. There as submitted a report (circulated) by the Head of Economic Growth, East Ayrshire Council which advised members of the submission of Investment Plans by the three Ayrshire Councils in respect of the UK Government's Shared Prosperity Fund (SPF). The respective Investment Plans identified a number of important proposals which would be taken forward (subject to funding being secured) across Ayrshire in support of strategic objectives.

It was agreed:

- (i) to note and endorse the submission of SPF Investment Plans by East, North and South Ayrshire Councils;
- (ii) to note that all three Investment Plans articulated a common need to protect established projects that were currently funded via European Structural Funds and which ensured a smooth transition to the new arrangements;
- (iii) to note that the Investment Plans were designed to reflect a regional consistency in approach, and that this would be further embedded with the forthcoming launch of the Regional Economic Strategy;
- (iv) to note that a progress report would be submitted to the Joint Committee to illustrate progress of the 2022/23 programme of investment; and
- (v) otherwise, to note the contents of the report.

## **DATE OF NEXT MEETING**

7. It was agreed that the next meeting would take place on 26 September 2022 at 1400hrs in the Council Chambers, Council Headquarters, London Road, Kilmarnock and by MS Teams.

## **EXCLUSION OF PRESS AND PUBLIC**

8. It was resolved “That under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 9 of Schedule 7A of the Act”.

## **AYRSHIRE GROWTH DEAL - PRESTWICK COMMERCIAL BUILD FULL BUSINESS CASE**

9. There was submitted a report dated 1 September 2022 (circulated) by Director - Place, South Ayrshire Council for members to consider and approve the Full Business Case (FBC) of the Prestwick Commercial Build Project, which was part of the Ayrshire Growth Deal (AGD).

It was agreed:

- (i) to note the decision of the Committee on 30 June 2022 to include the inward investment opportunity referred to as Opportunity A in the commercial build project and to secure Scottish Enterprise as our delivery partner for this opportunity, had been implemented;
- (ii) to approve the Full Business Case (FBC) of the Prestwick Commercial Build Project;
- (iii) to approve the financial reinvestment model, financial profile and build plans detailed in the FBC; and
- (iv) to note the additional borrowing of £55.174m required by South Ayrshire Council as detailed in Section 6 of the report, subject to the conclusion of the Grant Funding Agreement in terms acceptable to the Director of Place and the satisfaction of the conditions set out in paragraph 5.1 of the report.

The meeting terminated at 0932 hrs.



## **North Ayrshire Health and Social Care Partnership**

**Minute of Integration Joint Board meeting held on  
Thursday 20 October 2022 at 10.00 a.m.**

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

### **Present (Physical Participation)**

#### *Voting Members*

Bob Martin, NHS Ayrshire and Arran (Chair)

Councillor Margaret Johnson, North Ayrshire Council (Vice Chair)

#### *Professional Advisers*

Caroline Cameron, Director of Health and Social Care Partnership

Scott Hunter, Chief Social Work Officer

Alistair Reid, Lead Allied Health Professional Adviser

#### *Stakeholder Representatives*

Pamela Jardine, Carers Representative

### **Present (Remote Participation)**

#### *Voting Members*

Councillor Timothy Billings, North Ayrshire Council

Marc Mazzucco, NHS Ayrshire and Arran

#### *Stakeholder Representatives*

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

Vicki Yuill, Third Sector Representative

### **In Attendance (Physical Participation)**

Elaine Young, Head of Health Improvement/Assistant Director of Public Health (NHS)

Thelma Bowers, Head of Service (Mental Health), HSCP

David Allan, Senior Manager (Health and Community Care), HSCP

Michelle Sutherland, Partnership Facilitator, HSCP

Scott Bryan, Strategic Planning, Policy and Inequalities Officer, HSCP

Ruth Wilson, Team Manager (Democratic Services)

Karen Andrews, Team Manager

Hayley Clancy, Committee Services Officer

Diane McCaw, Committee Services Officer

### **In Attendance (Remote Participation)**

Roseanne Burns, Senior Manager (Children, Families and Justice)

### **Apologies**

Christie Fisher, NHS Ayrshire and Arran

Councillor Anthea Dickson, North Ayrshire Council  
Paul Doak, Head of Service (HSCP Finance and Transformation)/Section 95 Officer  
Alison Sutherland, Head of Service (Children, Families and Criminal Justice)  
David Thomson, Head of Service (Health and Community Care)

## 1. Apologies for Absence and Chair's remarks

Apologies for absence were noted.

The Chair welcomed David Allan and Roseanne Burns, Senior Managers (Health and Community Care), together with Elaine Young, Assistant Director of Public Health, to their first meetings of the IJB. He further thanked Alastair Reid for his invaluable input to the Partnership and wished him luck with his secondment to Health Improvement Scotland for a 2-year period.

## 2. Declarations of Interest

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

## 3. Minutes/Action Note

The accuracy of the Minutes of the meeting held on 22 September 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

### 3.1 Matters Arising from the Action Note

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

- **Mental Welfare Commission Report** – Authority to Discharge – to be considered at Agenda Item 7. Marked as complete.
- **Communities Mental Health and Wellbeing fund** – Update in terms of Community Mental Health and Wellbeing Fund networking event. An invitation has been circulated and promoted and anyone with intentions to attend event advise Vicki Yuill as event is well subscribed currently. Marked as complete.
- **Medium-term Financial Outlook** – Development Workshop took place on 22 September 2022 and a follow-up workshop will be arranged to give IJB an update on budget for next financial year. Marked as complete.
- **Unscheduled Care Performance** – Verbal Update at Agenda Item 8. Report to be provided to meeting on 17 November 2022.
- **Directors Report: Suicides, Drug and Alcohol Related Deaths** – report to be provided to a future meeting – date to be confirmed.
- **The Promise in North Ayrshire Update on Progress** – further report and action plan to a future meeting – date to be confirmed.
- **North Ayrshire HSCP and ADP Annual Performance Management Report – Alcohol and Drugs** – report to be incorporated into Suicides, Drug and Alcohol Related Deaths report.
- **Recovery and Renewal for Mental Health** – this will be incorporated into development programme for IJB and a Seminar arranged.

Noted.

## 4. Director's Report

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

The report provided an update on the following areas:-

- National Developments that included the launch of the Creating Hope Together: Scotland's New Suicide Prevention Strategy and that IJB to receive updates on local approach to implementation, the launch of the 'National Conversation' for the New Dementia Strategy, the first National Care Service Forum held on 3 October 2022, the Independent Review of Inspection, Scrutiny and Regulation of Social Care in Scotland, the findings of the inquiry into health inequalities in Scotland and the Winter Resilience Overview 2022-2023;
- Ayrshire wide developments that included information on the Staff Wellbeing Centres across NHS Ayrshire and Arran and Caring for Ayrshire Events taking place during November 2022;
- North Ayrshire Developments that included the Social Work Leadership Event held on 30 September 2022, the launch of the 'Our Community Space' session in the Garnock Valley, the publication of the latest Foxgrove Art and Therapeutic Design Newsletter, an unpaid carers update and an update on the Self Directed Support Learning Review; and
- An update on the Covid Social Care staff support fund.

The Chair asked that those present publicise and promote to their staff the use of the Wellbeing Centres across North Ayrshire.

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

- Comms issuing a note in terms of the Gambling Workplace Charter awareness sessions taking place on 2 November 2022;
- The National Care Service Forum message from Ministers in terms of no pre conceived approach;
- The opening date for the Foxgrove facility which will be shared with the IJB once finalised;
- The uptake from the public in terms of the Garnock Valley 'Our Community Space' sessions;
- The approach to maximising community benefits as part of community wealth building; and
- An Ayrshire-wide stakeholder event to be held late November/early December aligned to the publication of the new Creating Hope Together Strategy.

Noted.

## **5. Woodland View Ward 7B Service Redesign Proposals and Future Models of Care Delivery**

Submitted report by Caroline Cameron, Director (NAHSCP) on the service redesign proposals with delivery of new model of care at Woodland View and wider community services in line with service demands and pressures, investment, national and local priorities. The report provided detail on the option appraisal recommendations and the proposal for use of Ward 7B as a 72 hour unscheduled care unit, delivery of an outreach rehabilitation model from Warrix Avenue and future planning for delivery of a CAMHS Assessment Hub, including staffing resource and funding details.

The Board agreed to approve the options appraisal proposal for (i) use as a 72 hour Unscheduled care Unit; (ii) delivery of an outreach rehabilitation model from Warrix Avenue; and (iii) future planning for delivery of a CAMHS Assessment Hub

## **6. NAHSCP Workforce Plan 2022-25**

Submitted report by Scott Bryan, Interim Programme Manager on the Workforce Plan for the NAHSCP for the period to March 2025. The Plan is due to be published by 31 October 2022 and sets out key challenges facing the HSCP workforce in North Ayrshire and identifies five local workforce priorities which are mapped directly to the Scottish Government's workforce planning pillars. Appendix 1 to the report detailed the Final Draft of the Workforce Plan 2022-2025.

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

- Building on good practice in terms of employment of young people and those with lived and recovery experience;
- The use of more pro-active wording within the action plan in relation to taking measures to utilise opportunities and the attraction and retention of staff;
- The importance of succession planning guidance;
- Barriers to be overcome in terms of inequalities; and
- Progress oversight through the Staff Partnership Forum and update reports to the IJB.

The Board agreed to (a) note the content of the Workforce Plan 2022-25; and (b) approve the Workforce Plan for (i) publication by 31 October 2022; and (ii) subsequent implementation.

## **7. Mental Welfare Commission Report – Authority to Discharge**

Submitted report by David Thomson, Head of Service (Health and Community Care) on progress in relation to the action plan developed in response to the Mental Welfare Commission – Authority to Discharge Report published in May 2021. A link to the full Authority to Discharge Report was provided in the report. Appendix 1 to the report detailed the North Ayrshire response to recommendations with Appendix 2 showing an example of an audit template.

Noted.

## **8. Unscheduled Care Update**

The Board received a verbal update by Caroline Cameron, Director (NAHSCP) following on from the Unscheduled Care report presented to the IJB in June this year. The verbal update included information in relation to:-

- Emergency Department (ED) attendances sustained at lower than pre-pandemic levels;
- 4 Hour ED waits further deteriorated to 67.8% in September against a target of 95%;
- ED 12-hour breaches significantly deteriorated and remain high with the worst reported figures for Ayrshire and Arran in July 2022;
- ED admissions sustained at a reduced pre-pandemic level;
- Length of stay has increased, particularly in University Hospital Crosshouse (UHC);

- Delayed Discharges – overall numbers of patients remain lower than pre-pandemic levels, however occupied bed days and waits over two weeks have increased in the four-month period mainly in relation to a deteriorating position in South Ayrshire;
- Covid inpatient numbers increased rapidly in July 2022 but have subsequently fallen back down during August;
- Community unmet need has increased by 23% and there are now over 5,300 hours a week of unmet need for Care at Home across Ayrshire and Arran with this worsening position also in South Ayrshire;
- None of the 138 additional beds open across UHC and University Hospital Ayr have closed and both sites frequently remain in Full Capacity Protocol resulting in additional beds open and patients in corridor areas awaiting admission.

The Health and Care system in Ayrshire and Arran continues to be under extreme pressure through demand for services, across the health and social care system, in hospital and in the community. Work is continuing with a focus to support the pressures to de-escalate the system and reduce the risk to patients and communities.

Since the report presented to the IJB in June, there have been a number of Discharge without Delay (DwD) events held to support the decongestion of the acute hospitals. These three and seven day events are held on both acute sites and involve both clinical and non-clinical staff, undertaking patient reviews and identifying issues blocking their progress through their treatment and a safe discharge. The three HSCPs have supported these events. Despite these events there has not been a de-escalation of the hospital sites nor a closure of any unfunded beds.

A further two-pronged focussed intervention is planned for two weeks from 7 November involving the three HSCPs deploying community teams into the acute sites for two weeks to 'pull' patients to alleviate the immediate pressures in the hospitals alongside a simultaneous implementation of an acute ward process improvement model. Planning is underway for the intervention and a further update will be provided to the IJB in November.

Additional information was also provided to the IJB on the delayed discharge position in North Ayrshire and an assurance of the plans in place to improve performance. In North Ayrshire the DD performance daily since January 2022 has averaged been between 50-60 delays with around 8-10 of those being Mental Health delays and around a third being AWI/guardianship, while these are not the same people and the list of patients delayed changes daily. The HSCP Director continually reviews the position to ensure anything that needs progressed or unblocked is taken forward as quickly as possible.

An update on the position with regard to Care at Home was also provided.

Noted.

## **9. Annual Delivery Plan**

Submitted NHS Board's Annual Delivery Plan by Gillian Arnold, Head of Planning and Information.

Noted.

## **10. IJB Dates 2023**

Submitted report by Karen Andrews, Team Manager (Governance) on the draft timetable for meetings of the IJB and the IJB PAC for 2023. Appendix 1 to the report detailed the full schedule of meetings.

The Board agreed to approve the dates for meetings of the Integration Joint Board and the Performance and Audit Committee as detailed in the report.

## **11. Urgent Items**

The Chair agreed to consider the following item as urgent to allow the Board to receive up-to-date information.

### **11.1 CAMHS**

The Board received a verbal update in relation to performance information for CAMHS key performance standards regarding referral to treatment targets. In the last 3 and a half years the target has always been met, including during the pandemic.

During the summer period from June to present there has been a peak in referrals resulting in reduced compliance. Referral totals include neuro development work from the service recently launched. An urgent mitigation plan has been put together to ensure compliance with the KPI target by January 2023 and the mitigation plan will be continually monitored.

Members asked a question and were provided with further information in relation to neuro development and specialist assessments which are required.

Noted.

The meeting ended at 11.50 a.m.

**Local Review Body  
24 October 2022**

At a Meeting of the Local Review Body of North Ayrshire Council at 10.15 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

**Present (Physical Participation)**

Timothy Billings, Stewart Ferguson, Cameron Inglis and Jim Montgomerie.

**Present (Remote Participation)**

Davina McTiernan.

**In Attendance (Physical Participation)**

A. Gemmell, Planning Adviser to the LRB (Place); R. Lynch and J. Niven, Legal Adviser to the LRB (Legal Services); and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

**Also in Attendance (Physical Participation)**

G. Owens and C McLaughlan (Applicants) and B. Young (Associate).

**Apologies**

Robert Foster, Scott Davidson and Ian Murdoch.

**Chair**

Councillor Billings 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. Notice of Review: 22/00063/PP - Jarvie Plant, Corsehill Mount Road, Dreghorn**

Submitted report by the Head of Service (Democratic Services) on a Notice of Review submitted by the applicant in respect of planning permission refused by officers under delegated powers in respect of Planning Application 22/00063/PP - Jarvie Plant, Corsehill Mount Road, Dreghorn for the change of use of vacant plant hire premises to a retail outlet for the sale of food and drink from vending machines at that address.

The Notice of Review documentation, Planning Officer's Report of Handling, Location Plan, Planning decision notice, hearing statements from the applicant and North Ayrshire Council Planning service, were provided as appendices to the report.

At its meeting on 28 September 2022, the Local Review Body agreed that a hearing be held before the review request was determined, to provide the applicant an opportunity to explain their views and provide information on why (i) the application would not be contrary to the Towns and Villages Objective of Strategic Policy 1 (Spatial Strategy) and Policy 3 (Town Centres and Retail) of the adopted North Ayrshire Local Development Plan; and (ii) the proposal would not undermine the Council's town centre first principle which gives priority to supporting the social and economic functions of town centres.

In accordance with the hearing procedure and rules, the applicants and an officer of the Council's Planning Service were invited to attend the Hearing Session and to submit a Hearing Statement and supporting documentation in advance of the session.

The Planning Adviser advised the Local Review Body of the background to the application. The applicants then addressed the Local Review Body.

Members asked questions of the applicants and the Planning Service and were provided with further information on:

- the unique nature of the business that required to be located in a semi-rural location such as Jarvie Plant, Corsehill Mount Road, Dreghorn and that no other suitable affordable spacious premises with car parking had been available in the local area;
- that the application met the objectives of the Towns and Villages objectives in that it would generate employment opportunities and regenerate a vacant and derelict building and would meet the qualities of what makes a successful place by creating a pleasant and positive space that offered healthy options not available elsewhere;
- future expansion plans for educational days and market days that would showcase fresh, handmade and niche products and that these events would offer local suppliers, not within the town centre, a shopfront within the local area.
- that the premises would be staffed to monitor and restock the vending machines and additional staff brought in when the business expanded; and
- deliveries to the site by small, refrigerated vans and on-site parking for up to 16 cars.

Councillor Inglis, seconded by Councillor Ferguson, moved that the Local Review Body grant the application on the basis that the Committee, having weighed up all the evidence, identified material considerations that warranted departure from the Local Development Plan in this case.

There being no amendment the motion was declared carried.

The meeting ended at 11.00 a.m.

Licensing Committee  
24 October 2022

**IRVINE, 24 October** - At a Meeting of the Licensing Committee of North Ayrshire Council at 2.00 p.m.

**Present**

Eleanor Collier, Nairn McDonald, Stewart Ferguson, Christina Larsen, Matthew McLean, Donald L. Reid, Ronnie Stalker and Angela Stephen.

**Also Present**

Cameron Inglis (Agenda Item 1 – 3).

**In Attendance**

R. Lynch, Senior Manager, C. Pollock, Administration Officer (Licensing), D. Grier, Solicitor, D. Robertson, Enforcement Officer (Legal Services) and A. Little and H. Clancy, Committee Services Officers (Chief Executive's Service).

**Chair**

Councillor Collier in the Chair.

**Apologies**

John Bell and Jean McClung.

**1. Declarations of Interest**

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

**2. Minutes**

The Minutes of the Meeting held on (i) the Ordinary Meeting of the Licensing Committee held on 17 August 2022; (ii) the Special Meeting held on 26 September 2022; and (iii) the Special Meeting held on 3 October 2022 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Civic Government (Scotland) Act 1982: Taxi Fare Review**

Submitted report by the Head of Democratic Services on the Taxi Fare Review. The current taxi Scales were set out at Appendix A, the minute of the Stage (a) meeting held on 13 June 2022 was set out at Appendix B, the proposed Taxi Fare Scales set out at Appendix C; consultation responses were set out at Appendix D; Economic Indicators set out at Appendix E, a spreadsheet estimating the effect of increases was set out at Appendix F the report.

The Committee noted that the Boundary Zone Charges were not included in the Taxi Fare review but will be reviewed at a future date.

Councillor Collier, seconded by Councillor Reid, moved that the Committee agree to approve the proposed draft scales set out at Appendix C to the report effective from Monday 21 November 2022. There being no amendment the motion was declared carried.

#### **4. Exclusion of the Public**

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Items 5 and 6 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

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

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

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

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

### **Appendix A: Hearings**

#### **5.1 Taxi Driver Licence: TDL/02026 (New): Scott Walker**

The Committee agreed to continue consideration of this application to a future meeting.

#### **5.2 Taxi Driver Licence: TDL/02325 (New): Kenneth Watt**

At a previous meeting on 17 August 2022, the Committee agreed to continue consideration of this application.

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

A representative from Police Scotland then addressed the Committee on the terms of a letter setting out their representation in respect of 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.

Councillor Reid left the meeting at this point.

### **5.3 Booking Office Licence: BOL/022: TOA Taxis (North Ayrshire) Ltd and Taxi Driver Licence: TDL/01599: Donald Newall**

At a previous meeting on 17 August 2022, following a complaint made against two licence holders, the Committee had agreed to proceed to a Hearing in terms of Paragraph 11(7) of Schedule 1 of the Civic Government (Scotland) Act 1982.

Representatives of TOA Taxis (North Ayrshire) Ltd and the licence holder, having been duly cited to attend, joined the meeting at this point. The complainants were also in attendance.

The Enforcement Officer addressed the Committee on the complaint made against two licence holders.

The complainants then addressed the Committee and responded to questions. Thereafter TOA Taxis (North Ayrshire) Ltd representatives and licence holder addressed the Committee on the issues raised and responded to questions.

The Committee agreed to continue consideration of this item to the 7 December 2022 meeting of the committee.

## **Appendix B: Applications for Licences/Renewal of Licences**

### **5.5 LHCL/141 (New): Motor Fuel Limited**

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.

### **5.6 STL/O/528 (Amend): Nicola Robinson & James Smith**

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.

### **5.7 STL/O/534 (New Temp): Daisy McConnachie**

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.

## **5.8 TDL/00737 (Renewal): William Murray**

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

The meeting ended at 5.10 p.m.

**Planning Committee**  
**26 October 2022**

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

**Present (Physical Participation)**

Robert Foster, Timothy Billings, Stewart Ferguson, Cameron Inglis and Davina McTiernan.

**Present (Remote Participation)**

Scott Davidson, Amanda Kerr and Jim Montgomerie.

**In Attendance (Physical Participation)**

J. Miller, Chief Planning Officer and A Gemmell, Manager (Planning); R. Lynch, Senior Manager, J. Niven, Solicitor (Legal Services), A. Little and D. McCaw, Committee Services Officers (Chief Executive's Service).

**Apologies**

Ian Murdoch and Chloé Robertson.

**Chair**

Councillor Foster in the Chair.

**1. Declarations of Interest**

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

**2. Minutes**

The Minute of the meeting of the Planning Committee held on 28 September 2022 was confirmed and the Minute signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. 22/00595/PPM: DSM Nutritional Products UK Ltd, Drakemyre, Dalry**

DSM Nutritional Products UK Ltd have applied for planning permission for the erection of a chemical production and distribution facility for the manufacture of an animal feed additive within the site boundary of DSM Nutritional Products at Drakemyre, Dalry.

The Committee was advised of a late objection from Scottish Gas Network (SGN) relating to a gas pipeline in the vicinity of the proposed development. The applicant had further advised that there would be a corridor of 15m either side of the pipe, ensuring there would be no encroachment on the pipeline and that consultation had taken place with SGN that addressed any safety concerns. It was noted that the development was located approximately 30m from the pipeline.

Discussion took place on the type, range and pitch of noise from the operation of the proposed facility. The Chief Planning Officer, advised that Condition 9 stated the facility must not exceed the background noise level by 5dB or more at the curtilage of any noise sensitive property. He undertook to obtain further information from Environmental Health and advise Councillor Billings accordingly. It was noted that the final design of the facility would examine this area in more detail.

Councillor Inglis, seconded by Councillor McTiernan, moved that the application be granted, subject to conditions. There being no amendment, the motion was declared carried.

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

1. That the development hereby approved shall be implemented in accordance with the submitted plans, drawings and recommendations contained in the application (inclusive of the EIA Report and associated supporting documentation) unless otherwise indicated below, all to the satisfaction of North Ayrshire Council as Planning Authority.
2. That prior to the commencement of the development hereby approved, the applicant shall submit a Construction Environmental Management Plan for the written approval of North Ayrshire Council as Planning Authority, the scope and content of which shall be informed by the EIA Report. Thereafter, the development shall be implemented in accordance with such details as may be approved to the satisfaction of North Ayrshire Council as Planning Authority.
3. That prior to the commencement of the development hereby approved, the applicant shall agree the Remediation Method Statement contained within Appendix 8-4 of the Environmental Impact Assessment Report with North Ayrshire Council as Planning Authority. If there is a requirement to re-use site won material and/or to import material, then the assessment criteria and sampling frequency that would adequately demonstrate its suitability for use shall be submitted to and approved by the Planning Authority prior to any material being used. In addition to this, and in accordance with BS3882:2015 and BS8601:2013, material to be used in the top 300mm shall be free from metals, plastic, wood, glass, tarmac, paper and odours. On completion of the works and at a time and or phasing to be agreed with the Planning Authority, the applicant shall submit a verification report containing details of the source of the material and appropriate test results to demonstrate its suitability for use. In addition, on completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted for the written approval of North Ayrshire Council as Planning Authority.

4. That, for the avoidance of doubt, surface water arising from the development of the site, including during construction operations, shall be treated and managed using a SuDS system. 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 development of the site (during construction and operational phases) 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.
5. That the presence of any significant unsuspected contamination which becomes evident during the development of the site shall be reported to North Ayrshire Council and treated in accordance with an agreed remediation scheme. On completion of the proposed works written verification, detailing what was done by way of any remediation, shall also be submitted to the North Ayrshire Council as Planning Authority.
6. That, notwithstanding the plans hereby approved, prior to the commencement of any building operations, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a detailed schedule of the proposed external finishes to be used (inclusive of colour scheme). Thereafter, the development shall be implemented only in accordance with such details as may be approved, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
7. That, prior to the commencement of any landscaping works, the applicant shall submit for the written approval of North Ayrshire Council as Planning Authority a finalised scheme of landscaping and woodland planting. The finalised scheme shall be based on the Indicative Landscape Masterplan hereby approved and shall include details of species, planting densities, soil treatment and aftercare. Thereafter, the scheme as may be approved shall be implemented prior the development becoming operational and retained thereafter to the satisfaction of North Ayrshire Council as Planning Authority.
8. That the development shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority in accordance with the details set out in the 'Renewable and Low Carbon Technology Feasibility Study' prepared by BakerHicks dated 18th July 2022, unless otherwise agreed in writing with North Ayrshire Council as Planning Authority.
9. The rated noise level, as defined in BS4142:2014 + AL:2019, from the operation of the proposed facility must not exceed the background noise level by 5dB or more at the curtilage of any noise sensitive property.

#### **4. 22/00593/PP: 32 Eglinton Street, Beith**

Mr M Jawad, has applied for a change of use of vacant bank premises to a hot food takeaway to include the erection of a ventilation flue to rear at 32 Eglinton Street, Beith. Three representations were received and summarised in the report.

Councillor Billings, seconded by Councillor Ferguson, moved that the application be granted, subject to conditions. There being no amendment, the motion was declared carried.

1. That prior to the commencement of the development hereby approved, full details and drawings of the extraction system (including details of odour control and noise/vibration reduction measures) shall be submitted and approved in writing by North Ayrshire Council as Planning Authority. Details of the extraction system will be accompanied by written certification from a member of the Building & Engineering Services Association, or any other suitably qualified person, confirming that the extraction system, as designed:
  - can be affixed to the external wall without the need for approval by a third party, or alternatively, evidence of such approval;
  - is suitable for use in a catering environment;
  - will provide a suitable rate of extraction above all cooking appliances;
  - will sufficiently reduce or eliminate odours and efficiently extract products of combustion, considering the nature of the business, will discharge to the external air in a suitable area to prevent odours affecting the residents of surrounding dwellings; and
  - has incorporated any necessary noise/vibration reduction measures to ensure operation of the system will not result in intrusive levels of noise affecting the residents of adjoining and surrounding dwellings.

Thereafter, the extraction system shall be fully installed as detailed in the drawings and tested prior to the commencement of the operation, shall always be in operation when cooking appliances are in use and shall be maintained to the satisfaction of North Ayrshire Council as Planning Authority.

2. The rated noise level, as defined in BS4142, from the operation of plant/equipment (extraction system and associated flues) shall not exceed the background noise level by 5dB(A) or more at the curtilage of any noise sensitive property in the vicinity of the site.
3. That the maximum operating hours of the hot food takeaway hereby approved shall be between 1200 and 2100 hours on any day. The premises shall not operate out with these hours without the prior written approval of North Ayrshire Council as Planning Authority.

## **5 22/00137/MSCM: West Byrehill Industrial Estate Byrehill Place, West Byrehill, Kilwinning**

Persimmon Homes & Ashtenne Industrial Fund LLP have applied for approval of matters specified in conditions of planning permission in principle ref. 20/00323/PPM for a residential development comprising the erection of 426 dwellinghouses and associated infrastructure at West Byrehill Industrial Estate, Byrehill Place, West Byrehill, Kilwinning. One representation was received and summarised in the report.

The Committee was advised of continuing work by the Council's consultants on the impact of the development on the road network and their ongoing discussions with the applicant's traffic consultants. In order to protect the safety and free flow of traffic on the trunk road network near the site, it was considered that a condition was required to restrict the scale of the development until all road network matters had been agreed. Condition 5, as set out in the report, would limit the development, to no more than 108 houses, until all road network matters had been concluded.

The Committee noted that there was no commitment on the Council to contribute to the road network improvement.

Councillor Ferguson, seconded by Councillor Inglis, moved that the application be granted, subject to conditions. There being no amendment, the motion was declared carried.

1. That the development hereby approved shall be implemented in accordance with the details and recommendations contained in the submitted plans, drawings and supporting documents, all to the satisfaction of North Ayrshire Council as Planning Authority, unless otherwise agreed in writing. Prior to commencement, the layout and the site plan shall be updated to show the works to form the flood storage area including any designed flood flowpath between the open culvert and the storage area, the details of which shall be agreed in writing before drainage works commence.
2. That the development shall be implemented in accordance with the phasing plan hereby approved unless otherwise agreed in writing by North Ayrshire Council as Planning Authority.
3. That the landscaping and open space provision shall be provided on a phase-by-phase basis. The implementation of the main area of open space to serve the development shall be agreed in writing by North Ayrshire Council as Planning Authority.

4. 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 planting 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.
5. The development hereby approved shall commence in phases, and in accordance with the following transport requirements, unless otherwise agreed in writing by North Ayrshire Council as Planning Authority and in consultation with Transport Scotland. For the avoidance of doubt, not more than 108 houses constructed within the red line boundary shall be occupied until either:
  - (i) An updated transport assessment has been submitted to and approved by the planning authority, in consultation with Transport Scotland, confirming that additional development can be accommodated within the capacity of the trunk road network; OR
  - (ii) An updated transport assessment has been submitted to and approved by the planning authority, in consultation with Transport Scotland, confirming that additional development can be accommodated within the capacity of the trunk road network in the event of the implementation of appropriate measures identified within the approved transport assessment; OR
  - (iii) The modifications to the A78(T)/A738(T) Pennyburn Roundabout, generally as indicated in SIAS drawing number 75064-1 titled 'Pennyburn Roundabout Signalisation - Revision 1', and the modifications to the A738(T)/Pennyburn Road mini-roundabout and the A738(T) Whitehirst Road signalised to form a roundabout junction generally as indicated in SIAS drawing number 75064-5 titled Whitehirst Park Road have been implemented; OR
  - (iv) North Ayrshire Council as Planning Authority Planning Authority or any other party has concluded an appropriate legal agreement or agreements for the funding and implementation of the works to mitigate the development.
6. That, following the completion of the first phase of housing, the Energy Strategy for the remainder of the development shall be updated for the written approval of North Ayrshire Council as Planning Authority. The update shall reflect progress made towards the options identified in the August 2022 version of the Strategy, namely, centralised air source heat pumps or ground source heat pumps to distribute heat to individual homes based on demand. Thereafter the updated Energy Strategy as may be approved shall be implemented to the satisfaction of North Ayrshire Council as Planning Authority.

## **6 Development Plan Scheme - LDP3**

Submitted report by the Executive Director (Place) providing an update on the preparation of the Council's next Local Development Plan (LDP3) and seeking approval of an updated Development Plan Scheme. The Development Plan Scheme, was attached at Appendix 1 and set out the timetable for preparing and reviewing the Local Development Plan.

The Committee agreed to adopt the Development Plan Scheme as set out in Appendix 1 to the report.

The meeting ended at 2.55 p.m.

**Local Review Body Committee**  
**26 October 2022**

At a Meeting of the Local Review Body of North Ayrshire Council at 3.00 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

**Present (Physical Participation)**

Robert Foster, Timothy Billings, Stewart Ferguson, Cameron Inglis and Davina McTiernan.

**Present (Remote Participation)**

Scott Davidson, Amanda Kerr and Jim Montgomerie.

**In Attendance (Physical Participation)**

A. Hume, Senior Development Management Officer (Planning); R. Lynch, Senior Manager, J. Niven, Solicitor (Legal Services) and A. Little and D. McCaw, Committee Services Officers (Chief Executive's Service).

**Apologies**

Ian Murdoch and Chloé Robertson.

**Chair**

Councillor Foster in the Chair.

**1. Declarations of Interest**

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

**2. Minutes**

The Minute of the meeting of the Local Review Body held on 8 June 2022 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: 22/00408/PP - 2 Lovat Street, Largs**

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

The Planning Adviser to the Local Review Body summarised the Notice of Review submitted by the applicant, the Report of Handling submitted by the appointed officer, the representations received and policies affecting the application. The Planning Adviser advised that no site visit had been requested by the applicant. The Committee was also advised that following clarification with the application, a hearing had not been requested.

Councillor Inglis, seconded by Councillor Billings, moved that the Local Review Body uphold the officer's decision to refuse the application for the reasons outlined in the Decision Notice. There being no amendment the motion was declared carried.

The meeting ended at 3.55 p.m.

Cabinet  
1 November 2022

**IRVINE, 1 November 2022** - At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m.

**Present**

Marie Burns, Scott Davidson, Tony Gurney, Alan Hill, Margaret Johnson, Christina Larsen and Shaun Macaulay.

**Also Present**

Cameron Inglis and Davina McTiernan.

**In Attendance**

C. Hatton, Chief Executive; M. Boyd, Head of Service (Finance); F. Walker, Head of Service (People & ICT) (Chief Executive's Service); R. McCutcheon, Executive Director, Y. Baulk, Head of Service (Physical Environment), L. Kirk, Senior Manager (Regeneration), T. Reaney, Head of Service (Recovery & Renewal), F. Ellis, Senior Manager (Housing Strategy & Development), J. Barrett, Senior Manager (Homelessness & Community Safety), A. Cowley, Senior Manager (Roads) and C. Dempster, Senior Manager (Roads) (Place); A. Sutton, Executive Director and R. Arthur, Head of Service (Connected Communities) (Communities & Education); C. Cameron, Director (Health and Social Care Partnership); N. McIlvanney, Senior Manager and M. Ritchie, Regeneration Manager (Growth and Investment); A. Craig, Head of Service, J. Hutcheson, Senior Communications Officer, C. Stewart and H. Clancy, Committee Services Officers (Democratic Services).

**Chair**

Marie Burns in the Chair.

**1. Minutes**

The Minutes of the Meeting of the Cabinet held on 27 September 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**2. Declarations of Interest**

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

**3. Proposals for Community Investment Fund (CIF) Expenditure**

Submitted a report by the Executive Director (Communities and Education) on applications by Locality Partnerships to allocate CIF funding to proposed projects. The proposals from Beith Playpark Action Group (BPAG) were set out in Appendix 1 to the report, with the CIF application from Children 1<sup>st</sup> and the CIF application in relation to the Localities Priority Officer from North Coast and Cumbrae Locality Partnership being set out at Appendices 2 and 3, respectively, to the report.

Members asked questions and were provided with further information in relation to the link in with money advice support services as well as third sector partner engagement with the local community.

The Cabinet (a) reviewed the enclosed applications from the Garnock Valley, Irvine, and North Coast and Cumbrae Locality Partnerships in line with CIF criteria; and (b) agreed to approve (i) the CIF application in relation to Beith Playpark Action Group (BPAG) in the amount of £100,000, (ii) the CIF application in relation to Children 1<sup>st</sup> in the amount of £97,580 and (iii) the CIF application in relation to the Localities Priority Officer from North Coast and Cumbrae Locality Partnership in the amount of £41,000.

#### **4. Update on Humanitarian Protection for People from Ukraine**

Submitted a report by the Executive Director (Place) on the range of supports being offered by the Council and its community planning partners to those people seeking sanctuary from the conflict in Ukraine.

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

- the range of supports available to help integrate those seeking sanctuary from the Ukraine conflict with the local community; and
- access to education, health, medical care, and translation services for Ukrainian Displaced People.

The Cabinet agreed (a) to note (i) the support provided to date to Ukrainian Displaced People (UDPs) who have settled in North Ayrshire, (ii) the plans to reinstate 30 decommissioned one bedroom Council properties at Glebe Place, Saltcoats as temporary accommodation for Ukrainian Displaced People, using funding of £0.486m allocated by Scottish Government for this purpose; and (b) that officers would continue to investigate further options to accommodate people displaced by the Ukraine conflict.

#### **5. Strathclyde Partnership for Transport – Regional Transport Strategy consultation**

Submitted a report by the Executive Director (Place) seeking approval for the proposed North Ayrshire Council submission to the Strathclyde Partnership for Transport's (SPT) consultation on the new Regional Transport Strategy. The draft consultation response was set out at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to the importance of ensuring adequate public transport provision, as well as early engagement with SPT should there be any change to service provision. The Cabinet agreed to approve the submission of the proposed consultation response the new Regional Transport Strategy provided at Appendix 1 to the report.

## **6. Millport Coastal Flood Protection Scheme: Update**

Submitted a report by the Executive Director (Place) on the latest position in respect of the award of contract for the construction of the Millport Coastal Flood Protection Scheme.

Members asked questions and were provided with further information in relation to ensuring good community engagement during the construction works of the Scheme.

The Cabinet agreed (a) to note (i) the tender position for the Millport Coastal Flood Protection Scheme, (ii) the importance of the scheme, (iii) the position in respect of the volatility in construction costs resulting in tender returns significantly exceeding the budget and (iv) the additional Scottish Government funding of approximately £17m; and (b) to approve the use of flexibility funding already included in the Capital Programme to fund the additional contribution to the Scheme from North Ayrshire Council of approximately £4m.

## **7. Strategic Housing Investment Plan 2023-2028**

Submitted a report by the Executive Director (Place) seeking approval of the Strategic Housing Investment Plan 2023-2028 set out at Appendix 1 to the report.

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

- whether the "buy back" programme represented good value for money, given Council policy on sustainability and letting standards; and
- impact of rent levels on delivery of the Investment Plan and financial aspects of the Scottish Government Green Standards regarding new affordable housing.

The Cabinet agreed to (a) approve the Strategic Housing Investment Plan 2023-2028 at Appendix 1 to the report for submission to Scottish Government; and (b) grant delegated authority to the Executive Director (Place) and the Cabinet Member for Place to liaise directly with the Scottish Government in agreeing the North Ayrshire development programme and the rescheduling of projects, as required.

## **8. Estates Based Regeneration Programme (EBRP) Update**

Submitted a report by the Executive Director (Place) on the delivery of the HRA Estates Based Regeneration Programme (EBRP) and seeking approval for a refreshed programme for 2022-2029. The EBRP to March 2022 and the EBRP scheduled for delivery in 2024/25 and beyond, was detailed at Appendices 1 and 2, respectively, to the report.

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

- engaging with tenants on individual proposals; and
- the identification of key development options with Registered Social Landlord (RSL) partners and estimated timescale on the outcome of these discussions.

The Cabinet agreed (a) to note (i) progress on, and revisions to, the EBRP to March 2022 as noted in Appendix 1, (ii) the revised programme for 2022/23 to recognise slippage in previous years, (iii) that the remainder of the projects in the Estate Based Regeneration Programme scheduled for delivery in 2024/25 and beyond, as shown in Appendix 2, may be subject to revision; and (b) to approve the detailed programme for 2023/24 as outlined in the body of the report.

## **9. Rapid Rehousing Transition Plan Progress**

Submitted a report by the Executive Director (Place) on the implementation of the North Ayrshire Rapid Rehousing Transition Plan and seeking approval for the priorities identified for year four of the plan.

Members asked questions and were provided with further information in relation to hostel accommodation.

The Cabinet agreed (a) to note (i) the progress made to date in the implementation of the Rapid Rehousing Transition Plan, and (ii) the priorities set for delivering the Rapid Rehousing Transition Plan during 2022/2023.

## **10. Roads Winter Service and Weather Emergencies Plan 2022/23**

Submitted a report by the Executive Director (Place) on the Roads Winter Service and Weather Emergencies Plan 2022/23. The Winter Preparation Action Plan 2022-23 and the Winter Service and Weather Emergencies Plan 2022-23 was set out at Appendices 1 and 2, respectively, to the report.

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

- adequate stock levels of grit for this winter; and
- what contingency arrangements were in place in the event of staff shortage and/or a sudden and unexpected change in short term priorities.

The Cabinet agreed (a) to approve the Roads Winter Service and Weather Emergencies Plan 2022/23 set out at Appendix 1 to the report; and (b) to note the preparations and developments contained in the Winter Preparation Action Plan set out at Appendix 2.

## **11. i3 – Sale of Land at Strategic Investment Campus**

Submitted a report by the Director (Growth & Investment) on the proposal for the sale of 2 acres of land at the Strategic Investment Campus, i3, Irvine, subject to appropriate conditions.

The Cabinet agreed to (a) approve the proposal for the sale of 2 acres of land to System Five Off Site Ltd at the Strategic Investment Campus at I3 Irvine; and (b) note that appropriate related conditions to the sale and deed of conditions would be prepared and that the final sale price would be negotiated in conjunction with the Council's Estates and Legal Teams.

## **12. Exclusion of the Public**

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 item of business on the grounds indicated in terms of Paragraphs 8 & 9 of Part 1 of Schedule 7A of the Act.

## **13. Island Accommodation**

Submitted a report by the Director (HSCP) on Island Accommodation on Arran.

The Cabinet agreed to approve the recommendation as detailed in the report.

The meeting ended at 4.10 p.m.

**Ayrshire Shared Services Joint Committee**  
**4 November 2022**

At a Meeting of the Ayrshire Shared Services Joint Committee at 10.00 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

**Present (Physical Participation)**

Philip Saxton (South Ayrshire Council)

**Present (Remote Participation)**

Ian Davis, William Grant and Alec Clark (South Ayrshire Council), Maureen McKay, Neall Ingram and Neill Watts (East Ayrshire Council).

**In Attendance (Physical Participation)**

A. Little and C. Stewart, Committee Services Officers (Chief Executive's Service).

**In Attendance (Remote Participation)**

Katie Kelly, Depute Chief Executive and Paul Whip, Group Finance Manager (East Ayrshire Council); K. Braidwood, Head of Ayrshire Roads Alliance, Craig Knape, Strategic Manager Network and Operations (Ayrshire Roads Alliance) and Theresa Mackin, Strategic Manager Business Operations (Ayrshire Roads Alliance).

**Chair**

Councillor Philip Saxton.

**1. Declarations of Interest**

There were no declarations of interest by Members in terms of the Joint Committee's Order No. 25 and the Councillors' Code of Conduct.

**2. Minutes**

The Minutes of the meeting held on 2 September 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Revenue Financial Monitoring Report**

Submitted report by the Head of Finance and ICT on the revenue budget monitoring position for the year to 31 March 2022, for the Ayrshire Roads Alliance and also the budget for 2022/23. Appendix 1 provided the service budget split between the strategic service delivery and local service delivery, including the core/recurring costs of service delivery from the local service costs at a single Council level. A full budget monitoring statement, including reasons for major variances was attached at Appendix 2.

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

- variances as a result of vacant posts; and
- the creation of trainee roadworker posts to alleviate the difficulties in recruiting workers in this field.

The Joint Committee agree to (a) note the financial management position of the Ayrshire Roads Alliance; and (b) receive a further financial update at the next meeting of the Joint Committee.

#### **4. Roadworks Programme 2022/23**

Submitted report by the Head of Roads on the progress of work through the Roads Improvement programmes within East Ayrshire and South Ayrshire for financial year 2022-2023. The 2022/23 programmes for South and East Ayrshire Councils were set out at Appendix 1 and Appendix 2 to the report and Appendix 3 provided details of EV Infrastructure.

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

- A review of the resurfacing programme spend that had been undertaken as a result of the increase in road materials, fuel and the withdrawal of fuel relief for red diesel;
- A temporary suspension of the carriageway resurfacing programme until further discussion with South and East Ayrshire Finance colleagues;
- The completion of resurfacing works already started and routine maintenance and safety repairs that will continue to be carried out; and
- A report to Cabinet at South and East Ayrshire Councils on the Roadworks Programme 2022/23.

The Joint Committee agreed to note the Ayrshire Roads Alliance works completed in 2022/23.

#### **5. ARA Transformation - TUPE Arrangements**

Submitted report by the Head of Roads on the outcome of negotiations with Trade Unions and employees on varying the terms of conditions of service for the remaining SAC employees to EAC terms and conditions, to align the service, enabling greater service flexibility and ensuring continued and appropriate workforce planning.

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

- 24 employees that would have been subject to a level of detriment if full transfer had been implemented;
- That the Trade Unions would not consider the option of employees moving to East Ayrshire Terms and Conditions while retaining their South Ayrshire salaries as this would breach TUPE regulations; and

- In light of the financial detriment that the employees would face if the move to East Ayrshire salaries was imposed, ARA agreed not to pursue any amendments to their terms and conditions or salary at this time, however, the position would be reviewed again in 2024 as part of the next Best Value Review.

The Joint Committee agreed (a) not to progress with varying the terms of conditions of service for the remaining SAC employees to EAC terms and conditions; (b) to carry out a further review in 2024 as part of Best Value Service Review and (c) to otherwise note the content of the report.

## **6. Performance Scorecard**

Submitted report by the Head of Roads on the progress made to date against the Performance Scorecard. The Performance Scorecard was presented at Appendix 1 to the report and provided commentary against the specific red and amber performance measures.

Members asked questions on the rate of successful parking fine appeals and were advised that further analysis would be undertaken in this area.

The Joint Committee agreed to (a) note the performance scorecard presented in the report; (b) continue to receive the performance scorecard updates; and (c) otherwise, note the content of the report.

## **7. Improvement Action Plan**

Submitted report by the Head of Roads providing an update on the management of the Improvement Action Plan with the Ayrshire Roads Alliance. The November update of the Improvement Action Plan was attached at Appendix 1 to the report.

The Joint Committee agreed to (a) note the Improvement Action Plan presented in the report; (b) continue to receive updates on progress; and (c) otherwise, note the content of the report.

## **8. Risk Register**

Submitted report by the Head of Roads providing an update on the management of risk associated with the Ayrshire Roads Alliance. The Risk Register Scoring Matrix was provided at Appendix 1 and the Ayrshire Roads Alliance Risk Register was attached at Appendix 2 to the report.

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

- A survey that had been undertaken on roadside trees to identify ash dieback;
- Artificial intelligence that had been installed in vehicles to identify road surface defects; and
- The inclusion of information on time [T] or cost [C] within the report and circulation of this report to the Joint Committee.

The Joint Committee agreed to (a) note the Risk Register detailed at Appendix 2 to the report; and (b) receive updates on progress at future meetings of the Joint Committee.

The meeting ended at 10.50 a.m.

Staffing and Recruitment Committee  
9 November 2022

**IRVINE, 9 November 2022** - At a Meeting of the Staffing and Recruitment Committee of North Ayrshire Council at 9.00 a.m.

**Present**

Marie Burns, John Bell, Todd Ferguson, Alan Hill, Shaun Macauley and Tom Marshall.

**In Attendance**

C. Hatton, Chief Executive, A. Sutton, Executive Director (Communities & Education) (Items 1 – 4) and F. Walker, Head of Service (People and ICT).

**Apologies**

Joe Cullinane.

**Chair**

Marie Burns in the Chair.

**1. Declarations of Interest**

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

**2. Minutes**

The accuracy of the Minutes of the meeting of the Staffing and Recruitment Committee held on 19 October 2022 was confirmed and the Minute and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Exclusion of the Public and Press**

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

**4. Head of Service (Connected Communities)**

The Committee interviewed 5 candidates for the post of Head of Service (Connected Communities) and agreed to appoint Rhonda Leith to the post.

## **5. Chief Officer Update**

Submitted report by the Chief Executive that provided an update on the Chief Officer structure.

Noted.

The meeting ended at 3.45pm.

Police and Fire and Rescue Committee  
14 November 2022

**IRVINE** - At a Meeting of the Police and Fire and Rescue Committee of North Ayrshire Council at 2.00 p.m. involving participation by remote electronic means and physical attendance within the Council Chambers, Irvine.

**Present (Physical Participation)**

Donald Reid, Nairn McDonald, Scott Davidson, Jean McClung, Davina McTiernan and John Sweeney.

**Present (Remote Attendance)**

John Glover.

**In Attendance**

W. Turpie, Senior Manager (Waste Operations) (Place); R. Lynch, Senior Manager (Legal Services), Claire Cochrane, Solicitor (Legal Services), D. McCaw and H. Clancy, Committee Services Officers (Chief Executive's Service).

**Also In Attendance**

Chief Superintendent F. Hussain and Police Inspector S. Dougan (Police Scotland); Area Commander I. McMeekin, and Group Commander S. Nesbit (Scottish Fire and Rescue Service).

**Chair**

Councillor Donald Reid in the Chair.

**Apologies**

Donald L. Reid and Angela Stephen.

**1. Declarations of Interest**

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

**2. Minutes**

The Minutes of the Meeting of the Audit and Scrutiny Committee held on 15 August 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Scottish Fire and Rescue Service Performance and Service Update**

Submitted report by the Scottish Fire and Rescue Service (SFRS) which provided information on progress against the North Ayrshire Local Fire and Rescue Plan for the period 1 April 2022 – 30 September 2022. Appendix A to the report provided an analysis of the performance across six indicators, using the rolling three-year average as a basis of measuring performance. The Strategic Plan for the period 2022-2025 was detailed at Appendix B to the report.

The statistical information identified a 7.3% decrease in activity levels across the local authority when compared to the corresponding period in 2021. A further review of the three-year average indicated a 0.3% decrease in overall operational activity during a similar timeframe. Data on false alarms accounted for 56.3% of all demand within North Ayrshire, with fire related and special service activity accounting for 30.5% and 13.2% respectively.

Updates were also provided in relation to publication of the Strategic Plan for the period 2022-2025, the appointment of Ross Haggart as Interim Chief Officer of the Scottish Fire and Rescue Service, pre budget scrutiny evidence provided to the Criminal Justice Committee on the organisation's planning assumptions for the period 2022/23-2026/27, work with partners to deliver programmes and initiatives to support the safety of local residents during the period 4-6 November 2022 and the recent successful visit to the National Training Centre, Cambuslang, Glasgow and the Command and Control Centre in Johnstone.

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

- the provision of updated Ward information to correspond with the launch of the new Strategic Plan;
- the variations within Wards relative to unwanted fire alarm signals;
- heightened instances of deliberate fire setting within the Stevenston area; and
- community engagement and partnership working in place to tackle deliberate fire setting.

Councillor Glover intimated a question from a Local North Coast Member regarding willful fires in the North Coast area. The Chair asked Councillor Glover to have the Local Member email the question to the Chair and this would be processed and a response provided.

The Chair, on behalf of the Committee, thanked the Group Commander for the informative visit to the Fire and Rescue National Training Centre and Operations Control Centre.

Noted.

#### **4. Police Scotland Performance Update**

Submitted report by Police Scotland on performance in relation to the North Ayrshire Local Policing Plan for the period 1 April 2022 - 30 September 2022 together with an overview of performance for year end 2021/22. A summary of current local policing plan priorities was also detailed.

The report provided information on North Ayrshire's performance, including a 0.5% decrease in the total number of crimes. The report further outlined progress in the areas of serious crime, safer communities, acquisitive crime, community wellbeing, road safety and public confidence with additional context being provided by Chief Superintendent Hussain to the meeting.

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

- young people accessing vaping equipment which would be monitored by Campus Officers;
- partnership working to deal with instances of reckless parking and vehicle obstruction;
- reporting and monitoring in connection with assaults on retail workers;
- the slight increase in transphobic hate crimes and plans to monitor incidents;
- potential under-reporting relating to instances of fraudulent emails, texts and phone calls;
- instances of violence with regard to public transport; and
- plans in place to target instances of serious crime and violence.

The Chair, on behalf of the Committee, thanked the Chief Superintendent for the informative visit to the Police Scotland C3 Division in Glasgow.

The Committee was then provided with verbal updates from the Fire and Rescue Service, Police Scotland and the Council's Streetscene Service in relation to Operation Moonbeam, Police Scotland's national response to a variety of offences and incidents arising in relation to Bonfire Night. Police Scotland and the Scottish Fire and Rescue Service jointly patrolled streets and the Council's Streetscene Service provided early identification of bonfire locations in order that material at some sites could be safely removed. It was highlighted that the planned events at Kilwinning, Dreghorn and in the Three Towns were well attended and well organised.

The Council's Streetscene Service was praised by the Committee in relation to the clear up across North Ayrshire following Bonfire night.

The Committee agreed (a) that the Senior Manager, Legal Services prepare a Briefing Note on (i) Legislation surrounding the provision of fireworks; and (ii) Operation Moonbeam, including information from Police Scotland, Scottish Fire and Rescue Service and Streetscene, for circulation to Members and also for addition as an item to the Agenda for the next meeting of the Committee; and (b) otherwise, to note the content of the report.

## **5. Urgent Items**

In terms of Standing Order 10.8, the Chair agreed that the following item be considered as urgent to allow a response to be submitted by the 16 November 2022 deadline.

### **5.1 Local Police Plans: A Framework for Scrutiny**

The Senior Manager, Legal Services, advised the Committee on a request from COSLA for feedback on the draft framework in connection with the development of COSLA-SPA Police Scrutiny Guidance for Elected Members prior to it being considered by the COSLA Community Wellbeing Board and presented to the COSLA Scrutiny Conveners Forum.

The Committee was advised that the framework would be expanded upon and adapted as appropriate at Local Authority level in recognition that local scrutiny arrangements vary across the country.

Councillor McDonald, seconded by Councillor McTiernan moved to remit to the Senior Manager, Legal Services, in conjunction with the Chair, to finalise the response in terms of the draft framework for submission to COSLA by the deadline of 16 November 2022. There being no amendment the motion was declared carried.

The meeting ended at 3.30 p.m.

Audit and Scrutiny Committee  
15 November 2022

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

**Present (Physical Participation)**

John Bell, Donald Reid, Eleanor Collier, Matthew McLean, Davina McTiernan and John Sweeney.

**Present (Remote Participation)**

Tom Marshall.

**In Attendance (Physical Participation)**

R. McCutcheon, Executive Director, Y. Baulk, D. Hammond, T. Reaney and C. McAuley, Heads of Service, C. Dempster, Senior Manager and M. McNeil, Manager (Place); Caroline Cameron, Director, and K. Logan, Senior Manager (HSCP); A. McClelland and R. Arthur, Heads of Service (Communities); M. Boyd, F. Walker, and A. Craig, Heads of Service, D. Forbes, L. Miller, and J. Hamilton, Senior Managers, D. McCaw and H. Clancy, Committee Services Officers (Chief Executive's Service).

**Also in Attendance (Physical Participation)**

T. Biondi and G. Milliken (Petitioners, Kilwinning) and W Frew (Petitioner, Irvine).

**Also in Attendance (Remote Participation)**

P. Kenny (Deloitte) and G. Houston (Petitioner, Saltcoats).

**Chair**

Councillor Bell in the Chair.

**Apologies**

Cameron Inglis and Ian Murdoch.

**1. Chair's Remarks**

The Chair agreed, in terms of Standing Order 10.8, that two further petitions, on Proposed Car Parking Charges: East Road, Kirkgate and West Road, Irvine and Proposed Car Parking Charges: Saltcoats Town Centre and Surrounding Areas be considered as urgent items and, in terms of Standing Order 10.5, further agreed to vary the order of business to allow the urgent items to be considered at Agenda Item 4 (Petition: Proposed Car Parking Charges: Owenward East and Almswall Road Car Parks, Kilwinning) as the terms of both Petitions were the same in essence as the Kilwinning Petition.

**2. Declarations of Interest**

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

### **3. Minutes**

The Minutes of the Meeting of the Audit and Scrutiny Committee held on 27 September 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

### **4. Annual Report on the 2021/22 Audit**

Submitted report by the Head of Finance on the Annual Audit report for 2021/22 and receive verbal report by the external auditor. Appendix 1 to the report detailed letters of representation to be signed by the Head of Finance as the responsible officer for North Ayrshire Council. The External Auditor's report, which summarised the findings of their audit, was attached as Appendix 2 to the report.

Pat Kenny of Deloitte provided a verbal report on the appendices to the report, including highlighting quality indicators in terms of the impact on the execution of their audit and also the two significant risk areas namely (1) Recognition of Covid-19 Related Income, and (2) Management Override of Controls which were both "green" and satisfactory.

The Committee agreed to (a) note the findings of the 2021/22 audit of the financial statements as contained in the External Auditor's annual report at Appendix 2; (b) note the agreed Action Plan as outlined on Page 30 of the Final Report; and (c) approve the audited Annual Accounts for signature.

### **5. Accounts Commission's Report: Scotland's Financial Response to Covid-19**

Submitted a report by the Head of Service (Finance) on the findings of the recently published Accounts Commission report. A link to the full report was provided within the Executive Summary which reflected on the impact of the Covid-19 pandemic on the Scottish Government, Councils and other public sector bodies including fiscal context in which these bodies operated and the ongoing development and implementation of plans for financial recovery.

Members asked a question and were provided with further information in relation to processing and conditions concerning the allocation of business grants.

The Committee agreed to note (i) the findings of the Accounts Commission report; (ii) the recommendations contained in the report; and (iii) North Ayrshire's approach in relation to the recommendations.

### **6. Year End Performance Reporting: Council Plan Year End Progress Report 2021-22, Annual Performance Report 2021-22 and Local Government Benchmarking Framework (LGBF) Report 2020-21**

Submitted report and received a presentation by the Head of Service (Democratic) on progress with the Council Plan priorities. The Council Plan Year End Progress Report and supporting performance measures were set out in Appendices 1, 2 and 3 to the report. Appendix 4 to the report detailed the Council Plan Annual

Performance Report while Appendix 5 detailed the status of the Council's performance indicators within the 2020-21 LGBF.

The Committee agreed to note (i) the Council Plan year End Progress Report and supporting performance measures as set out at Appendices 1,2 and 3 to the report; (ii) the Council Plan Annual Performance Report as set out at Appendix 4 to the report; and (iii) the status of the Council's performance indicators within the 2020-21 LGBF report as set out at Appendix 5 to the report.

## **7. Petitions: Proposed Car Parking Charges**

Submitted three reports by the Head of Service (Democratic) on the terms of petitions received in respect of car parking charges at (i) Oxenward East and Almswall Road Car Parks, Kilwinning and requesting that the Council maintain free parking in Kilwinning; (ii) East Road, Kirkgate and West Road, Irvine and requesting that the Council maintain free parking in Irvine; and (iii) Saltcoats Town Centre and surrounding areas and requesting that the Council maintain free parking in Saltcoats. The reports outlined full details of each petition.

The Head of Service (Democratic) outlined the process for consideration of the petitions, whereby each petition would be taken in turn, with petitioners allocated ten minutes each to address the Committee and answer any questions. The Head of Service (Commercial) would then address the Committee in response to the three petitions.

### **(i) Owenward East and Almswall Road Car Parks, Kilwinning**

The principal spokespersons, Tom Biondi and Graham Milliken, outlined the objections to the proposed car parking charges from shopkeepers and local residents and highlighted various matters, including the following:-

- the total number of signatures having risen to more than 2,900 written and 1,933 online;
- North Ayrshire's Fair for All vision in terms of working together, engaging and supporting local communities;
- the Town Centre Parking Strategy 2014-2020, which stated that parking would be free;
- the lack of consultation on the introduction of parking charges;
- the creation of inequality, with parking charges not applicable for all towns in North Ayrshire;
- the impact on local business income in Kilwinning;
- that Kilwinning and its surrounding areas were identified as a significant area of deprivation within the Scottish Index of Multiple Deprivation;
- the ongoing struggle of local businesses and residents in terms of the cost-of-living crisis and recovery from the Covid-19 pandemic; and
- existing customers having stated they would shop elsewhere if charges were to be introduced.

The spokespersons gave examples of how local residents would be affected by the introduction of parking charges.

The Committee then proceeded to hear the terms of the second petition.

**(ii) East Road, Kirkgate and West Road, Irvine**

The principal spokesperson, William Frew, outlined the objections to the proposed car parking charges from shopkeepers and local residents and highlighted various matters, including the following:-

- the ongoing struggle for small local businesses in the area;
- the disruption and lost business arising from the recent regeneration of the high street area;
- the slow recovery for businesses following the Covid-19 pandemic;
- hardship in relation to the cost-of-living crisis;
- the increase in overheads for businesses;
- the unfair advantage to larger shops with free parking areas if charges were introduced elsewhere in the town;
- the demise of the Kilmarnock and Ayr Town Centres following the introduction of pay-and-display parking charges; and
- the lack of consultation with regard to the introduction of the parking charges.

The Committee then proceeded to hear the terms of the third petition.

**(iii) Saltcoats Town Centre and Surrounding Areas**

The principal spokesperson, Gerard Houston, outlined the objections to the proposed car parking charges from shopkeepers and local residents and highlighted various matters, including the following:-

- the total number of written signatures having risen to more than 4000;
- the effect of the Covid-19 pandemic and the cost-of-living crisis on local businesses;
- that access to short stay parking/pick ups would be essential to keep small businesses running;
- that independent family-run businesses would be affected by the parking charges and not larger businesses;
- the reliance on the car parks for staff parking, when staff were also struggling with cost-of-living rises;
- the potential for encouraging parking in residential areas, which would cause additional difficulties in the town;
- existing restrictions in Dockhead Street, Saltcoats and the extension of the restricted vehicular access between 10am and 4pm, which already affected footfall for local businesses; and
- the lack of consultation with local traders and the general public.

The spokesperson provided details regarding a meeting to be held in the Argyle Centre, Saltcoats for the general public and traders, with invitations being extended to all local Councillors and MPs.

Members asked questions of all spokespersons and received responses in relation to:-

- the initial proposal approved in 2019 which was delayed due to the Covid-19 pandemic;
- the number of car parks in the local areas which were already short-stay and time-limited; and
- whether petitioners considered that penalties should be imposed on those who parked all day in short stay car parks or whether there should be no limitation on any car park.

Spokesperson responses additionally mentioned Kirkgate, Irvine parking being utilised for school pickups, the use of the East Road car park, Irvine, for the Portal and the view that the College in Kilwinning should have more adequate parking provision for their specific use on campus.

A briefing note by the Head of Service (Commercial) was detailed at Appendix 1 to the report. This provided background information on Decriminalised Parking Enforcement (DPE) and the proposed introduction of car parking charges, a key outcome of which would be improved regulation of traffic in town centres by directing long-stay patrons to free parking slightly further out while providing chargeable and short-stay parking close to retail and other town centre services. The proposals would also encourage alternative more active and sustainable modes of transport and aimed to reduce the volume of traffic travelling through town centres by facilitating the use of public transport. Information was also provided in relation to movement within car parks, where parking charges would help with vehicle turnover, use of disabled parking bays, and the ban on pavement parking to be introduced in late 2023.

The Council meeting, at its meeting on 21 September 2022, agreed that, in the light of the deepening financial crisis, a proposal be brought back to Cabinet to reconsider the level of charges proposed in the 2022/23 budget. This report would be submitted to Cabinet in January 2023, following Elected Member Engagement Sessions in December 2022.

Members asked questions of the Head of Service (Commercial) in relation to:-

- previous methods of consultation with Elected Members on charges to be applied;
- the location of the one-hour free parking in Kilwinning where a response would be provided to Members;
- monitoring of car park usage where charges were to be applied;
- Elected Member engagement sessions which would include information on resident parking permit requirements;
- the feasibility study model and assumptions around fines and collection rates;
- the estimated costs in connection with Wardens (in the region of £120,000);
- a post pandemic review of town centre footfall which indicated more normal parking behaviours;
- reports on all the car parks in terms of usage and capacity; and

- the current position regarding on street parking charges.

Councillor Sweeney, seconded by Councillor McLean, moved that the Committee accept the three petitions and ask Cabinet to note their content when considering the report on the level of car parking charges at their meeting on 24 January 2023. As there was no amendment, the motion was declared carried.

The Head of Service (Democratic) further clarified to the petitioners that, while additional petition signatures could continue to be collected, the petition had been accepted by the Audit and Scrutiny Committee and there would be no further consideration of the petitions regardless of any increase in signatories.

In terms of Standing Order 6.8, the Chair agreed that the meeting be adjourned at 11.30 a.m. for a short comfort break. The meeting reconvened at 11.40 a.m. with the same Members and officers present and in attendance (as previously by remote electronic means or in person).

## **8. 2021-2022 Complaints Report**

Submitted report by the Head of Service (Democratic) on the Council's complaint performance and the volumes and trends of complaints received in Financial Year 2021-22. The report detailed the volume of complaints received and closed, complaints closed at each stage, complaint outcomes, the average time in working days for a full response at each stage, complaints closed within timescale, complaint timescale extensions, trends identified from upheld/partially upheld complaints and changes or improvements made as a result of complaints. The Corporate Complaints Annual Report 2021/22 was attached as an Appendix to the report.

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

- timescales on when a service request became a complaint and how these were dealt with by the relevant Service;
- potential underestimation of complaints which could be attributed to the closure of Council buildings throughout the pandemic;
- the prospect of a wider report on the operation of complaints input on the Lagan system;
- the process in terms of a non-resolved stage 2 complaint proceeding to the Ombudsman; and
- a manufacturing fault with the purple wheelie bin lids, which had now been resolved.

The Head of Service (Democratic) undertook to prepare a report for submission to the Audit and Scrutiny Committee on the operation of the Lagan system.

The Committee agreed to note the information contained within the report.

## **9. Workforce Absence 2019-2022**

Submitted report by the Head of Service (People & ICT) providing a year-end summary of sickness absence for the period 2019/20 to 2021/22. The report provided a summary of the sickness absence levels and associated productivity for the three-year period from 2019-2022 to 2121-2022 and highlighted the policies, procedures and proactive interventions to support the Council's workforce.

The Head of Service (People & ICT) undertook to provide a response to the Committee in terms Councillor Marshall's questions on (i) the Office of National Statistics' absence rate figure when compared to the Council figure; and (ii) the difference between the absence rate figure and the loss of productivity figure.

The Committee agreed to note the absence levels over the last three years and the support provided to the workforce.

#### **10. Internal Audit and Corporate Fraud Action Plans: Quarter 2 Update**

Submitted report by the Head of Service (Finance) on the progress made by Council Services in implementing the agreed actions from Internal Audit and Corporate Fraud reports as at 30 September 2022. Appendix 1 to the report provided full details of one Internal Audit action which was not completed within the agreed timescale.

Members asked a question and were advised that work was ongoing with IT to complete the Data Protection Impact Assessment in order to progress with the upgrade and that this would be completed by the end of December 2022.

The Committee agreed to note (i) the current position with the implementation of the Internal Audit and Corporate Fraud actions; and (ii) challenges which were faced by those services which had not implemented actions within the previously agreed timescales.

#### **11. Corporate Fraud Team Update Report**

Submitted report by Head of Service (Finance) on the work of the Corporate Fraud Team between April and September 2022.

The Senior Manager (Audit, Fraud, Safety and Insurance) highlighted investigations which had been carried out across a range of areas, including employee related matters, as well as Council Tax, Discretionary Housing Payments, Scottish Welfare Fund, Blue Badges and Housing tenancy issues. The Committee was advised that joint working with the Department for Work and Pensions (DWP) had paused during the Covid-19 pandemic but had since recommenced. This formal joint working arrangement was in place for cases where suspected frauds relate to both Housing Benefit and Council Tax Reduction.

The Senior Manager further advised that the International Fraud Awareness Week would run from 13-19 November 2022, with events being held across North Ayrshire to raise knowledge and awareness of the Corporate Fraud Team.

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

the following:-

- the value assigned to a blue badge by the Cabinet Officer; and
- the 26 tenancies recovered by Housing and the Corporate Fraud Team.

The Committee agreed to note the work carried out by the Corporate Fraud Team between April and September 2022.

## **12. Internal Audit Reports Issued**

Submitted report by the Head of Service (Finance) on the findings of Internal Audit work completed between September and October 2022. The findings from three audit assignments were detailed at Appendix 1 to the report, together with the respective executive summaries and action plans.

The Committee agreed to note the outcomes from the Internal Audit work completed as set out in the report.

## **13. National Fraud Initiative (NFI) in Scotland 2022**

Submitted report by the Head of Service (Finance) providing an overview of the NFI 2020/21 exercise outcomes. The Council's financial recoveries from the 2020/21 exercise amounted to £0.091m. External audit also assessed the Council's planning and progress in terms of the NFI with recommendations as appropriate. The National Fraud Initiative (NFI) Report was detailed at Appendix 1 to the report.

The Committee agreed to note the outcomes of the exercise.

## **14. Urgent Items**

There were no further urgent items for consideration.

## **15. Exclusion of the Public – Para 1**

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

## **16. Investigation Reports Issued**

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

Noted.

The meeting ended at 12.30 p.m.

Licensing Committee  
16 November 2022

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

**Present (Physical Participation)**

Eleanor Collier, Nairn McDonald, Christina Larsen, Jean McClung, Matthew McLean, Donald L. Reid, Ronnie Stalker and Angela Stephen.

**Present (Remote Participation)**

John Bell.

**In Attendance**

R. Lynch, Senior Manager (Legal Services), A. Toal, Administration Assistant (Licensing) and H. Clancy, Committee Services Officers (Democratic Services) (Chief Executive's Service).

**Chair**

Councillor Collier in the Chair.

**Apologies**

Cameron Inglis.

**1. Declarations of Interest**

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

**2. Minutes**

The Minutes of the Meeting held on 24 October 2022 were confirmed and 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, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Items 5 and 6 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

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

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
6. "Information relating to the financial or business affairs of any particular person (other than the authority)."

14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

#### **4. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters**

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

#### **Appendix A: Hearings**

##### **4.1 Late Hours Catering Licence: LHCL/141 (New): Motor Fuel Limited**

At a previous meeting on 24 October 2022, the Committee agreed to continue consideration of this application.

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

The applicant's Solicitor 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.

##### **4.2 Street Traders Operator's Licence: STL/O/528 (Amend): Nicola Robinson and James Smith**

At a previous meeting on 24 October 2022, the Committee agreed to continue consideration of this application.

The applicants, having been duly cited to attend, were present.

The applicants 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.

#### **4.3 Street Trader Operator's Licence: STL/O/534 (New Temp): Daisy McConnachie**

At a previous meeting on 24 October 2022, the Committee agreed to continue consideration of this application.

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

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

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

#### **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.

#### **Appendix B: Applications for Licences/Renewal of Licences**

#### **4.4 TDL/02353 (New): Hasher Murad**

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.

#### **4.5 STL/O/5535 (New): Chris and Emma Ferguson**

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.

The meeting ended at 10.55 a.m.

**Planning Committee**  
**26 October 2022**

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

**Present (Physical Participation)**

Robert Foster, Stewart Ferguson, Cameron Inglis, Ian Murdoch and Chloé Robertson.

**Present (Remote Participation)**

Timothy Billings, Davina McTiernan and Jim Montgomerie.

**In Attendance (Physical Participation)**

J. Miller, Chief Planning Officer (Planning); R. Lynch, Senior Manager (Legal Services), A. Little and C. Stewart, Committee Services Officers (Chief Executive's Service).

**Apologies**

Scott Davidson.

**Chair**

Councillor Foster in the Chair.

**1. Declarations of Interest**

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

**2. Minutes**

The Minute of the meeting of the Planning Committee held on 26 October 2022 was confirmed and the Minute signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. 22/00717/LUE: Hunterston Construction Yard, Fairlie, Largs Certificate of Lawfulness for existing general industrial use (Class 5)**

Clydeport Operations Ltd had applied for a Certificate of Lawful Use or Development (CLUD) to ascertain whether any operations, use of land or building or a breach of a planning condition is or would be lawful for the site at Hunterston Construction Yard, Fairlie, Largs.

The report highlighted that a CLUD was not equivalent in law to a grant of planning permission but the purpose of a CLUD for an existing use was usually to secure immunity from enforcement action by the Planning Authority or to provide certainty for future planning applications.

The Chief Planning Officer advised that there were no requirements for neighbour notification or publicity measures for a Certificate of Lawfulness application and no consultations had therefore been undertaken on the application. Representations had however been received and he provided details of these to the Committee.

The Senior Manager (Legal Services) stated to the Committee the terms of Section 150 of the Town and Country Planning (Scotland) Act 197 and what the Committee required to consider in terms of the Act. He added that if the Committee were minded to refuse the application, the applicant had a right of appeal to the Scottish Ministers and if successful, the Council would be liable for any resultant expenses.

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

- the provision of evidence that demonstrated the industrial use of the site over a period of 10 years;
- Class 5 certification that was not equivalent in law to the grant of planning permission;
- the purpose of a Certificate of Lawful Use or Development (CLUD) for an existing use which is usually to secure immunity from enforcement action by the Planning Authority or to provide certainty for future planning applications;
- any future proposals for the site that would be the subject of a planning application;
- the permanent location of the 3 test wind turbines on the site that would not have been supported by the planning authority, the wind turbines on site that had been in situ for a limited period for testing purposes and therefore within Class 5 uses;
- any enforcement in terms of SSSI that would mainly be for consideration by NatureScot; and
- the application for Class 5 certification that had no bearing on the Special Development Order for Ardeer Peninsula.

Councillor Inglis, seconded by Councillor Ferguson, moved that the application be granted. There being no amendment, the motion was declared carried.

The Committee agreed to grant a Certificate of Lawful Use or Development (CLUD), under Section 150 of the Town and Country Planning (Scotland) Act 1997.

#### **4. Notice under Sections 207 and 208 of the Town and Country Planning (Scotland) Act 1997: Townhead Close, Largs**

Submitted report by the Executive Director (Place) seeking approval to promote the stopping up of Townhead Close, Largs under sections 207 and 208 of The Town and County Planning (Scotland) Act 1997 at Townhead Close, Largs.

On 24 May 2022, planning permission was granted for the demolition of all existing buildings and structures on site and the development of a single retail unit (for convenience retailing purposes), associated car parking, revised vehicular access, servicing and ancillary development plus hard and soft landscaping at a site at 123-125 Main Street, Largs. The site contains the access from Main Street to Townhead Close, a small, adopted cul-de-sac containing three residential properties and the rear

access to an additional residential property on Waterside Street. In total, the access for four properties would be affected by the development.

The Parking Management Plan, as required by the terms of the condition, has not yet been submitted, however, it is expected that the customer car park would be controlled through APNR licence plate recognition of cars entering and leaving the car park. Residents of Townhead Close would be able to register to have their vehicles excluded from the scheme.

Councillor Murdoch, seconded by Councillor McTiernan, moved to grant authority to promote the stopping up of Townhead Close, Largs under sections 207 and 208 of The Town and County Planning (Scotland) Act 1997 at Townhead Close, Largs. There being no amendment, the motion was declared carried.

The Committee agreed to grant authority to proceed with promoting a Stopping Up Order for Townhead Close, Largs.

The meeting ended at 2.40 p.m.

Cabinet  
29 November 2022

At a Meeting of the Cabinet of North Ayrshire Council at 2.30 p.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

**Present (Physical Participation)**

Marie Burns, Scott Davidson, Tony Gurney, Alan Hill, Christina Larsen and Shaun Macaulay; Elizabeth Turbet, Rev Mark Goodman (Church Representatives); and Jackie MacKenzie (Teaching Representative) (Agenda Items 3-4).

**Present (Remote Electronic Participation)**

Margaret Johnson.

**In Attendance**

C. Hatton, Chief Executive; M. Boyd, Head of Service (Finance), D. Forbes, Senior Manager (Financial Management) and S. Quinn, Senior Manager (Corporate Procurement) (Chief Executive's Service); R. McCutcheon, Executive Director, D. Hammond, Head of Service (Sustainability, Corporate Property & Transport), A. Cowley, Senior Manager (Roads) and M. Miller, Team Leader (Roads) (Place); A. Sutton, Executive Director, R. Arthur, Head of Service (Connected Communities) and L. Taylor, Senior Manager (Education) (Communities & Education); C. Cameron, Director and P. Doak (Head of Service (Finance & Transformation) (Health and Social Care Partnership); N. McIlvanney, Senior Manager and M. Ritchie, Regeneration Manager (Growth and Investment); R. Lynch, Senior Manager and C. Cochrane, Solicitor (Legal Services), L. Jolly, Communications Officer, C. Stewart and D. Mccaw, Committee Services Officers (Democratic Services).

**Apologies**

Andrew Bruce, Lay Member.

**Chair**

Marie Burns in the Chair.

**1. Minutes**

The Minutes of the Meeting of the Cabinet held on 1 November 2022 were confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**2. Declarations of Interest**

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

### **3. Mayfields Housing Development, Saltcoats and Proposed Catchment Boundary Changes**

Submitted a report by the Executive Director (Communities and Education) seeking approval to carry out a Statutory Public Consultation on the proposal to amend the primary school catchment boundary lines between Saltcoats and Stevenston. A map showing the site and current catchment boundary lines was attached at Appendix 1 to the report. Appendix 2 to the report indicated the site and proposed new catchment boundary lines, with Appendix 3 outlining the advantages and disadvantages of each option which had been presented, including discussion with stakeholders as part of the early engagement outlined in the timeline at Appendix 4 to the report. Lastly, the breakdown of the pupil roll showing numbers of children registered for primary 1 (P1) residing within the catchment area and those outwith (placing requests) over the last 5 years was shown in the table at Appendix 5 to the report.

The Cabinet agreed to approve the proposal to carry out a Statutory Public Consultation on the proposal to amend the primary school catchment boundary lines between Saltcoats and Stevenston.

### **4. North Ayrshire Children's Services Plan 2020-23: Progress Report 2021-22**

Submitted a report by the Director (HSCP) presenting the draft North Ayrshire Children's Services Plan 2020-23: Progress Report covering 2021-22. The North Ayrshire Children's Services Plan 2020-23: Progress Report 2021-22 was attached at Appendix 1 to the report.

Members asked a question and were provided with further information in relation to the provision of health visitors who had continued to deliver full national health visiting pathways throughout the pandemic and the positive impact this had made on helping children and young people continue to enjoy a healthy and active lifestyle.

The Cabinet agreed (a) to approve the draft North Ayrshire Children's Services Plan 2020-23: Progress Report 2021-22 set out at Appendix 1 to the report; and (b) that the Progress Report be submitted to the Scottish Government and published on the North Ayrshire Community Planning website, subject to sign-off by relevant Community Planning partners.

### **5. Establishment of a Policy Advisory Panel**

Submitted a report by the Chief Executive seeking approval to establish an Elected Member Policy Advisory Panel to assist in the preparation of policy proposals for consultation by Cabinet. A proposed Remit for the new Policy Advisory Panel, which was not limited to any specific area of policy development, was attached at Appendix 1 to the report.

The Cabinet agreed to the establishment of a Policy Advisory Panel to support its work.

## **6. The Investigations Manual of the Ethical Standards Commissioner's office - Consultation**

Submitted a report by the Head of Service (Democratic Services) advising that the Ethical Standards Commissioner was consulting on the content of the draft Complaints Investigation Manual and seeking approval for the Council's proposed submission to the consultation. The draft manual and proposed targets were set out at Appendices 1 and 2 to the report and the suggested consultation response at Appendix 3.

The Cabinet agreed to (a) note the draft consultation document; and (b) approve the submission of the proposed consultation response provided at Appendix 3 to the report.

## **7. Revenue Budget 2022/23: Financial Performance to 30 September 2022**

Submitted a report by the Head of Service (Finance) on the financial performance of the Council at 30 September 2022. Detailed explanations of the significant variances in service expenditure compared to the approved budgets, together with information on funding to be carried forward to support expenditure during 2022/23 were provided in Appendices 1-4 of the report. A full list of the proposed carry forward of earmarked funds was set out at Appendix 5 to the report. Information in respect of the Housing Revenue Account (HRA) was contained in Appendices 6 and 6a and information on virements/budget adjustment requests was provided at Appendix 7 to the report. Information on the IJB financial performance was presented in Appendix 8 to the report.

The Cabinet agreed to (a) note (i) the information and financial projections outlined in the report and its associated appendices, (ii) the latest financial projection for the Health and Social Care Partnership highlighted at 2.6 of the report and (iii) the current projected deficit position of KA Leisure; and (b) approve (i) the earmarking of £1.792m identified at section 2.5 of the report to meet future year commitments and (ii) the virements detailed at Appendix 7 to the report.

## **9. Capital Programme Performance to 31 March 2023**

Submitted a report by the Head of Service (Finance) on progress in delivering the Capital Investment Programme for 2022/23.

Members asked a question and were provided with further information in relation to the global impact of rising costs and what affect this might have on the Council's Capital Programme.

The Cabinet agreed to note (i) the revisions to budgets outlined in the report, (ii) the General Services and HRA revised budgets at 30 September 2022, and (ii) the forecast expenditure to 31 March 2023.

## **10. Treasury Management and Investment Mid-Year Report 2022/23**

Submitted a report by the Head of Service (Finance) providing Cabinet with a Treasury Management update for the period 1 April to 30 September 2022. The Mid-Year report was attached at Appendix 1 to the report.

The Cabinet agreed to (a) endorse the contents of the Treasury Management and Investment Mid-Year Report for 2022/23 as set out at Appendix 1 to the report; and (b) note the Prudential and Treasury Indicators contained therein.

## **11. Procurement Annual Activity Report (21-22)**

Submitted a report by the Head of Service (Finance) providing an update on Procurement activity for the period 2021/22.

Members asked questions and were provided with further information in relation to the target figure which the Council had set to increase spend with local suppliers to 26% by 2024.

The Cabinet agreed to note the contents of the report.

## **12. Cost-of-Living Crisis**

Submitted a report by the Executive Director (Communities & Education) on the Council's response to the current cost-of-living crisis and associated investments and funds. Appendix 1 to the report provided an update on activity relating to the cost-of-living themes of energy advice & support, food, clothing & essentials, finance & benefits, children & families, health & wellbeing, business & community including transport to work, support for communities, and employee wellbeing.

Members asked questions and were provided with further information in relation to the range of help and supports that had been made available to assist North Ayrshire residents in dealing with the current cost-of-living crisis.

The Chair took the opportunity to thank the community and Elected Members for their input and participation in this work.

The Cabinet agreed to (a) note the progress the Council has made on developing support in relation to the cost-of-living crisis and (b) accept future progress reports on the investments, funds and activity associated with the cost-of-living crisis.

## **13. Financial Inclusion**

Submitted a report by the Director (HSCP) providing Cabinet with an update on Financial Inclusion services. The current reporting structures of the teams which were part of the review process were set out at Appendix 1 to the report.

Members asked questions and were provided with further information in relation to the timescales for the reporting of the Financial Inclusion Strategy to Cabinet and the importance of ensuring good and effective communication, to make as many people as possible aware of the Financial Inclusion service available to them in North Ayrshire.

The Cabinet agreed to note the Financial Inclusion services being provided to local people, the increasing caseloads that were being handled in response to the cost-of-living crisis and through the expansion of service provision, and the initial findings of an ongoing review which would create a more integrated system to better support people in need.

### **13. Community Asset Transfer Application – Ardeer Quarry Football Ground and adjacent land**

Submitted a report by the Executive Director (Communities & Education) seeking approval for the transfer of ownership of Ardeer Football Ground and adjacent land. The Plan of Ardeer Quarry Football Ground and adjacent land was set out at Appendix 1 to the report.

The work of the TASS volunteers, officers and local Members in bringing the asset transfer to fruition was acknowledged by the Cabinet.

On behalf of Members, the Chair also paid particular tribute to Rhona Arthur, Head of Service (Connected Communities) who was retiring from service with North Ayrshire Council. Councillor Burns expressed her sincere thanks to Rhona for all her hard work, diligence and commitment throughout the years and the positive impact this had made on local communities in North Ayrshire.

The Cabinet agreed to (a) the asset transfer of Ardeer Quarry Football Ground and adjacent land from North Ayrshire Council to Scottish Incorporated Charitable Organisation (SCIO), "TASS Community Sports"; (b) approve the recommended terms of transfer on this occasion at 10% of the property valuation of £25,000 (totalling £2,500); and (c) authorise officers to conclude the associated legal and community asset transfer processes for Ardeer Quarry Football Ground and adjacent land.

### **14. Tackling Climate Change: Public Bodies Climate Change Duties Report and Review of North Ayrshire's Environmental Sustainability & Climate Change Strategy 3 (ESCCS3)**

Submitted a report by the Executive Director (Place) on the Cabinet's net zero journey, including highlights from the Public Bodies Climate Change Duties (PBCCD) 2021/22 report and proposed strategic principles to be followed for the review of ESCCS3.

Members asked questions and were provided with further information in relation to this being one of the Council's strategic priorities and looking forward to the climate change benefits that would accrue over time, particularly in terms of reduction in emissions.

The Cabinet agreed (a) to note (i) the Council's current progress on the journey to net zero and (ii) the highlights from the PBCCD 2021/22 reporting template submission at section 2.11 to the report; and (b) to approve the strategic principles at section 2.19 to the report to guide development of ESCCS 4 on the Council's net zero journey.

## **15. Ayrshire Local Flood Risk Management Plan**

Submitted a report by the Executive Director (Place) on progress and next steps in relation to the publication of the Second Ayrshire Local Flood Risk Management Plan and the Final Progress Report on the First Ayrshire Local Flood Risk Management Plan. The Final Progress Report on the Local Flood Risk Management Plan (2016-2022) was set out at Appendix 1 to the report. The Ayrshire Local Plan District Draft Local Flood Risk Management Plan (2022-2028) was provided at Appendix 2 to the report.

Members asked questions and were provided with further information in relation to the significant amount of hard work and effort that had been put in by various parties in terms of reducing the likelihood of flood risk in local communities.

The Cabinet agreed to (a) approve (i) the Final Progress Report on the First Ayrshire Local Flood Risk Management Plan, which would allow its publication prior to the 31 December 2022 and (ii) the Second Ayrshire Local Flood Risk Management Plan (North Ayrshire aspects) which would allow its publication prior to the 31 December 2022; and (b) note the potential North Ayrshire future financial implications of delivering the actions and flood studies contained within the Second Ayrshire Local Flood Risk Management Plan.

## **16. Flexible Advanced Manufacturing Space, i3 Irvine: Phase 1, Full Business Case**

Submitted a report by the Executive Director (Place) on the Full Business Case (FBC) for Phase 1 of the Flexible Advanced Manufacturing Space Project at i3, Irvine. The FBC was set out at Appendix 1 to the report.

Members asked a question and were provided with further information on whether the Council was likely to receive feedback soon on the Levelling Up fund.

The Cabinet agreed to (a) endorse the Full Business Case (FBC) for Phase 1 of the Flexible Advanced Manufacturing Space project at i3; (b) note the awaited outcome of a bid to the UK Government's Levelling Up Fund (LUF) 2; and (c) approve the submission of the FBC set out at Appendix 1 to the report to the Ayrshire Economic Joint Committee (AEJC).

The meeting ended at 4.10 p.m.